

HOUSE RECORD

First Year of the 158th Session of the General Court Calendar and Journal of the 2003 Session

Vol. 25

Concord N.H.

April 17, 2003

No. 36

HOUSE JOURNAL No. 14 (cont.)

Thursday, April 10, 2003

Rep. Hess moved that the House adjourn.
Adopted.

HOUSE JOURNAL No. 15

Thursday, April 17, 2003

The House assembled at 10:00 a.m., the hour to which it stood adjourned, and was called to order by the Speaker.

His Excellency, Governor Craig Benson, joined the Speaker on the rostrum for the day's opening ceremonies.

Prayer was offered by House Chaplain, The Reverend Hays M. Junkin, Rector of Saint Andrew's Episcopal Church in Hopkinton.

Compassionate and ever-watchful Creator of all, we give thanks for the gifts of freedom that we share as citizens of the United States and of our beloved New Hampshire. Protect and defend those who protect and defend us, especially those who serve in places that take them far from their family and community. Today we ask Your healing grace to be with all --- especially the weak, elderly and the young --- who have suffered injury in Iraq's liberation. Bring peace and new hope quickly to all the troubled areas of Your world.

Bless and support the work of this so-called unruly and mercurial, yet honorable House.

May the decisions today be made for the true benefit of each citizen, and be worthy of the sacrifice of many, who make these decisions a witness to true democracy.

As always, we ask for Your protective hand to be upon those who serve in law enforcement, emergency medical services, and in the fire service as they protect and defend our homes, our lives and our communities. Amen.

Members of the New Hampshire Army National Guard, Sergeant First Class Stephen Dymont, Sergeant First Class Daniel Morrisette, Sergeant Paul Kiley and Officer Candidate Eric Barricklow posted the Colors.

Rep. Maureen Mooney led the Pledge of Allegiance.

The National Anthem and "God Bless the USA" were sung by Tyler Griffin, a 5th grade student from Peter Woodbury School in Bedford.

LEAVES OF ABSENCE

Reps. Julie Brown, Flanagan, Laflam, Langley, Miller, Seldin and Paul Smith, the day, illness.

Reps. Barker, Duffy, Itse, Robert L'Heureux, Malloy, John Manning, Naro, O'Neil, Edwin Smith and Kathleen Taylor, the day, important business.

INTRODUCTION OF GUESTS

Benjamin Schaefer, Bow High School student and Garret Desjardins, Concord High School student, who were Pages for the Day and guests of the House.

Jennifer Dorsett and James Peabody, wife and father-in-law of Rep. Dorsett. Patrick and Sally Griffin, parents of Tyler Griffin, guests of the Speaker. 4th grade class from St. Anthony's School, guests of the Manchester delegation. Todd Selig, guest of the Durham delegation. The Honorable Merle Schotanus, guest of Rep. Hager. Sheila Ross, guest of the Coos County delegation. Trevor Chandler, guest of Rep. Ouellette.

INTRODUCTION OF SPECIAL GUESTS

Merrimack High School Boys' Basketball Team, 2003 Class L State Champions, guests of the Merrimack delegation.

SPECIAL GUESTS OF THE HOUSE

The 2003 Hockey East Champions, University of New Hampshire Wildcats Men's Hockey Team: Steve Saviano, Josh Prudden, Mick Mounsey, Robbie Barker, Mike Ayers, Assistant Head Coach Dave Lassone and Head Coach Dick Umilie. The Speaker presented a declaration to Coach Umilie, who addressed the House

ENROLLED BILL AMENDMENTS

Amendment (1313-EBA)

HB 61, relative to the taking of migratory game birds in the Connecticut River zone.

Amend RSA 209:5-a, I as inserted by section 1 of the bill by replacing it with the following:

I. A person holding a Vermont resident hunting license which allows the taking of migratory waterfowl and coots, may take migratory game birds, as provided in RSA 209:5, except woodcock and snipe, from the Connecticut River zone, provided the state of Vermont grants the same right to a person holding a New Hampshire resident hunting license and waterfowl stamp which allows the taking of migratory game birds in the Connecticut River zone in Vermont pursuant to Vt. Stat. Ann. tit. 10, sec. 4909.

Adopted.

Amendment (1281-EBA)

HB 126, relative to posting statutes at polling places.

Amend RSA 658:29 as inserted by section 1 of the bill by replacing line 9 with the following:
appropriate official if the voter believes that his or her voting rights are being

violated

Adopted.

Amendment (1292-EBA)

HB 277-FN, relative to an extended term of imprisonment for manslaughter and relative to jury findings which warrant an extended term of imprisonment.

Amend RSA 651:6, III as inserted by section 1 of the bill by replacing line 1 with the following:

III. If authorized by paragraph I or II, and if notice of the possible application of this section

Amend RSA 651:6, III(c) as inserted by section 1 of the bill by replacing line 1 with the following:

(c) Manslaughter, a minimum to be fixed by the court of not more than 20 years and a
Adopted.

Amendment (1310-EBA)

HB 469, relative to areas of the state for hunting by crossbow.

Amend RSA 208:3, V as inserted by section 2 of the bill by replacing it with the following:

V. STRAFFORD COUNTY: Durham; Lee; Madbury; Dover; Rollinsford; Somersworth
Adopted.

Amendment (1272-EBA)

HCR 8, urging the United States Congress to improve the prescription drug program provided to veterans.

Amend the second paragraph after the title of the resolution by replacing line 1 with the following:

Whereas, Congress has authorized an increase in the medication copayment from \$2 to \$7 and applied it to each
Adopted.

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 69, 76, 91, 99, 128, 233, 246, 260, 270 and 271.

Rep. Carrier, Sen. D'Allesandro for the Committee

SENATE MESSAGE

REQUESTS CONCURRENCE WITH AMENDMENTS

HB 151, authorizing the county convention to contract and fund performance audits of county departments. (Amendments printed SJ 4/10/03)

Rep. Patten moved that the House concur and spoke in favor.
Adopted.

COMMITTEE REPORTS

CONSENT CALENDAR

Rep. Hess moved that the Consent Calendar with the relevant amendments as printed in the day's House Record be adopted.

Consent Calendar adopted.

SB 24, relative to license revocations for DWI offenders under the age of 21. **OUGHT TO PASS**

Rep. Stanley E. Stevens for Criminal Justice and Public Safety: This bill is an amendment to RSA 265:82-b that clarifies that a mandatory one-year license revocation applies to certain DWI offenses where the offense occurred while the offender was under the age of 21. Vote 14-0.

SB 22, amending the duties of the public higher education study committee. **OUGHT TO PASS**

Rep. James T. Dunn for Education: The testimony in favor of this bill was compelling and concise. This bill adds the duty of studying student activities on college campuses to the Legislative Oversight Committee, which will benefit the communities and the colleges. Vote 13-0.

SB 26, removing the penalty against teachers who fail to keep registers. **OUGHT TO PASS**

Rep. Richard C. Leone for Education: This bill removes the \$20.00 penalty against teachers who file pupil registers late with the local school board. This task is currently done by the administrative staff and the penalty against teachers is no longer appropriate. Vote 13-0.

SB 51-FN, relative to membership on the New England Board of Higher Education. **OUGHT TO PASS**

Rep. Arthur Tufts for Education: The testimony presented to the committee indicated that the university system is well represented by the chancellor of the university and colleges, on the NEBHE. The university and college presidents are well served by the chancellor being on the board. The second change adds the membership of the executive director of the post secondary education commission, which will add NH's technical colleges to the NEBHE's services. Vote 13-0.

SB 68, authorizing electronic certification of educational credentials. **OUGHT TO PASS**

Rep. Deanna P. Rush for Education: This bill permits a teacher applying for certification to submit either a written or electronic application. The bill further authorizes the State Board of Education to adopt rules that affect the electronic certification of educational credentials, such as the e-signature. This legislation was requested by the NH Department of Education. Vote 13-0.

SB 170, relative to Public Service of New Hampshire. **OUGHT TO PASS**

Rep. Roy D. Maxfield for Science, Technology and Energy: This bill amends RSA 374-F, Electric Utility Restructuring. It restricts Public Service Company from selling generation assets prior to April 30, 2006 unless the Public Utilities Commission (PUC) finds the sale of these assets to be in the economic interest of retail customers. Securing these existing coal fired plants in Bow and Newington and using their electric generation for New Hampshire PSNH customers will save rate payers between 70 and 100 million dollars per year based on current market costs. The legislature amended the 1996 electric utility restructuring law two years ago to allow for a 30-month retention of these generating assets. Unstable wholesale energy prices and the California energy crisis prompted our action to control our generation costs at that time. A provision was also added that gave the PUC oversight of these generators and their associated operating costs. The 18% rate reduction obtained in the restructuring settlement agreement includes approximately 3.5 cents per kilowatt for stranded costs. Part 1 of the stranded costs is for restructuring bonds and will be eliminated by 2012. Part 2 of the stranded costs is for existing wood and other high costs energy contracts and will be eliminated in 2006. The legislature will be in better position by 2006 to

assess the sale of PSNH generation assets once these part 2 costs, estimated to be 1.5 cents per kilowatt, are eliminated. Finally, the bill requires the legislative electric oversight committee to review and recommend legislation to address transition and default service prior to April 30, 2006. This additional time will allow the committee to evaluate electric generation costs in the region and decide which options are in the best interests for New Hampshire PSNH customers. Vote 12-0.

SCR 3, urging maintenance of funding for the Low Income Home Energy Assistance Program. **OUGHT TO PASS**

Rep. Roy D. Maxfield for Science, Technology and Energy: This resolution urges an increase and continuation of federal funding of the low-income home energy assistance program. It recommends extending authorization through 2008, increasing the authorization level to 3.4 billion, and allows states to draw down funds prior to the winter heating season to take advantage of discount programs. Vote 13-0.

REGULAR CALENDAR

HB 1-A, making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 2004, and June 30, 2005. **OUGHT TO PASS WITH AMENDMENT**
Rep. Neal M. Kurk for Finance: This is the state's budget for the next two fiscal years. The committee amendment represents the core needs for the functioning of state government. It covers our traditional state services (general government, criminal justice and public safety, environmental protection and resource development, transportation and highway improvement, health and human services, post-secondary and higher education) and our obligation to provide the opportunity for an adequate primary and secondary public education.

As our responsibilities have increased, the budget has increased. To meet our responsibilities, the committee amendment appropriates \$8.975 billion in total funds and \$2.703 billion in general funds for the biennium, an increase of 15.0% and 10.8 %, respectively, compared to the prior biennium.

Some highlights of the committee amendment: 1) Funding for the developmentally disabled has increased and includes \$3 million each year to reduce the waiting list. 2) Aid to cities and towns has increased, and state fiscal problems have not been "downshifted." 3) LCHIP is funded at the governor's recommended level of \$4 million in each year. 4) The Goffstown women's prison will remain open. 5) Additional funding to deal with the nursing shortage has been provided in the form of additional program assistance and scholarships.

The committee amendment fulfills its obligation under House rules to present a budget that is balanced within Ways and Means' revenue estimates without the need for an increase in taxes. It is a "live within your means" budget. Vote 17-4.

Amendment (1268h)

This amendment was printed in its entirety in House Record No. 33, April 11, 2003 and is made part of this Journal by reference.

Rep. Kurk spoke in favor and yielded to questions.

Rep. McEachern requested a roll call; sufficiently seconded.

The question being adoption of the committee amendment.

YEAS 326 NAYS 47

YEAS 326

BELKNAP

Ahern, Omer Jr
Clark, Charles
Lawton, David
Russell, David

Allen, Janet
Fitzgerald, James
Nedeau, Stephen
Thomas, John

Bartlett, Gordon
Flanders, Donald
Pilliod, James
Wendelboe, Fran

Boyce, Laurie
Holbrook, Robert
Rice, Thomas
Whalley, Michael

CARROLL

Babson, David Jr	Brown, Carolyn	Derby, Mark	Hatch, Paul
Kenney, Bettie	McConkey, Mark	Merrow, Harry	Olimpio, J Lisbeth
Patten, Betsey	Philbrick, Donald	Stevens, Stanley	

CHESHIRE

Batchelder, Robert	Dexter, Judson	Dunn, James	Eaton, Daniel
Espiefs, Peter	Fish, Douglas	Hunt, John	Laurent, John
Liebl, George	Manning, Joseph	Meador, David	Mitchell, McKim
Parkhurst, Henry	Pratt, Irene	Richardson, Barbara	Robertson, Timothy
Royce, H Charles	Slack, Pamela		

COOS

Brady, Mark	Guay, Lawrence	King, Frederick	Mears, Edgar
Poulin, Richard	Pratt, Leighton	Richardson, Herbert	Stohl, Eric
Theberge, Robert	Tholl, John Jr	Woodward, David	

GRAFTON

Akins, Ralph	Alger, John	Almy, Susan	Benn, Bernard
Bleyler, Ruth	Cooney, Mary	Densmore, Edward	Dorsett, Andrew
Dudley, Terri	Eaton, Stephanie	Gilman, G Michael	Gionet, Edmond
Giuda, Robert	Ham, Bonnie	Hammond, Lee	Ingbretson, Paul
Maybeck, Margie	Nordgren, Sharon	Scovner, Nancy	Sokol, Hilda
Solomon, Peter	Sorg, Gregory	Williams, Burton	

HILLSBOROUGH

Adams, Jarvis	Allan, Nelson	Allen, Timothy	Arnold, Thomas Jr
Artz, Lawrence	Balboni, Michael	Balcom, John	Baroody, Benjamin
Barry, J Gail	Batula, Peter	Beaton, William	Bergeron, Jean-Guy
Bergin, Peter	Bouchard, David	Brassard, Paul	Brundige, Robert
Bruno, Pierre	Buckley, Raymond	Buhlman, David	Cail, Kenneth
Carlson, Donald	Carter, Jeffrey	Carter, Mark	Cernota, Albert
Chabot, Robert	Christensen, D L	Christiansen, Lars	Cote, Peter
	Chris		
Coughlin, Pamela	Crane, Elenore	Desmarais, Vivian	Dionne, Kimberley
	Casey		
Dokmo, Cynthia	Drisko, Richard	Elliott, Larry	Emerton, Larry
Fields, Dennis	Fletcher, Richard	Ford, Nancy	Furman, Christine
Gargas, Carolyn	Gibson, John	Gonzalez, Carlos	Goulet, Maurice
Goyette, Peter Jr	Graham, John	Greenberg, Gary	Hagan, Barbara
Haley, Robert	Hall, Charles	Hallyburton, Margaret	Hansen, Ryan
Harrington, Paul	Haytayan, Harry Jr	Hinkle, Peyton	Holden, Randolph
Hopper, Gary	Hunter, Bruce	Infantine, William	Jasper, Shawn
Jean, Claudette	Johnson, Lionel	Katsiantonis, Thomas	Kerns, J Edward
Konys, Christine	Kopka, Angeline	Kudalis, Debra	Kurk, Neal
Laflamme, Charles	Lawrence, James	Leach, Edward	Lefebvre, Roland
Lessard, Rudy	Luebkert, Bernard	McDonough-Wallace, Alice	McElroy, Henry Jr
McHugh, Claire	McRae, Karen	Mercer, Robert	Messier, Irene
Milligan, Robert	Mooney, Maureen	Moran, Edward	Mosher, William
O'Brien, Lori	Pappas, Christopher	Pappas, Marc	Pepino, Leo
Pilotte, Maurice	Price, Pamela	Reeves, Sandra	Ross, Lawrence
Rowe, Robert	Scanlon, Michael	Shaw, Barbara	Slocum, Lee
Souza, Kathleen	Spiess, Paul	Stepanek, Stephen	Sullivan, Francis
Sullivan, Jeffrey	Tahir, Saghir	Tate, Joan	Vaillancourt, Steve
Wheeler, Robert			

MERRIMACK

Blanchard, Elizabeth	Bouchard, Candace	Brueggemann, Donald	Clarke, Claire
Colcord, J D	Currier, David	Daniels, Eric	Davis, Frank
DeStefano, Stephen	Dunne, Christopher	Field, William	Foley, Albert
Fraser, Leo Jr	French, Barbara	Gile, Mary	Hager, Elizabeth
Hess, David	Kenison, Leon	Kennedy, Richard	L'Heureux, Stephen
Langer, Ray	Leber, William	MacKay, James	Marple, Richard
Maxfield, Roy	McCormick, Tom	Nutter, Edward	Oliver, James
Osborne, Jessie	Ouellette, Robert	Perkins, Randy	Reed, Dennis
Rush, Deanna	Soltani, Tony	Wallner, Mary Jane	

ROCKINGHAM

Allen, Mary	Belanger, Ronald	Bicknell, Elbert	Blanchard, MaryAnn
Bridle, Russell	Cady, Harriet	Camm, Kevin	Carson, Sharon
Casey, Kimberley	Clark, Vivian	Coes, Betsy	Cooney, Richard
Corbin, Corey	Dalrymple, Janeen	Davidson, Robert	Dearborn, Bruce
Dodge, Robert	Doyle, Christopher	Dumaine, Dudley	Dupuis, Roland
Fesh, Bob	Flanders, John Sr	Flayhan, Mary Lou	Francoeur, Sheila
Gilbert, Jeffrey	Gilbert, Karl	Gillick, Thomas	Gleason, John
Gould, Kenneth	Griffin, Mary	Hamel, Albert	Headd, James
Holland, James Jr	Hughes, Daniel	Hutchinson, Karen	Ingram, Russell
Introne, Robert	Johnson, Robert	Johnson, Rogers	Katsakiores, George
Katsakiores, Phyllis	Kobel, Rudolph	Langone, John	Letourneau, Robert
Major, Norman	McCann, Richard	McKinney, Betsy	McMahon, Charles
Morris, Richard	Norelli, Terie	Noyes, Richard	Packard, Sherman
Pantelakos, Laura	Pitts, Jacqueline	Priestley, Anne	Putnam, Ed II
Rausch, James	Roessner, Kurt	Ruffner, Walter	Scamman, Stella
Shultis, Elizabeth	Smith, Donald	Stone, Joseph	Stritch, C Donald
Tufts, J Arthur	Varrell, Thomas	Waterhouse, Kevin	Weare, E Albert
Welch, David	Weldy, Norman Jr	Weyler, Kenneth	Wiley, Robert
Winchell, George	Zolla, William		

STRAFFORD

Albert, Russell	Bemis, Alan	Berube, Roger	Bickford, David
Callaghan, Frank	Campbell, W Packy	Cataldo, Sam	Creteau, Irene
Dunlap, Patricia	Easson, Timothy	Grassie, Anne	Harrington, Michael
Hollinger, Jeffrey	Kaen, Naida	Knowles, William	Musler, George
Newton, Clifford	Rollo, Deanna	Schmidt, Peter	Scott, David
Smith, Marjorie	Snyder, Clair	Taylor, Katherine	Twombly, James
Wall, Janet	Woods, Phyllis		

SULLIVAN

Allison, David	Burling, Peter	Cloutier, John	Flint, Gordon Sr
Jones, Constance	Leone, Richard	Rodeschin, Beverly	

NAYS 47

BELKNAP

Dewhirst, Glenn

CARROLL

Dickinson, Howard Mock, Henry

CHESHIRE

Allen, Peter Pratt, John Tilton, Anna Webber, Amy

Weed, Charles

COOS

None

GRAFTON

None

HILLSBOROUGH

Clemons, Jane
Hawkins, Ken
Movsesian, Lori
Sweeney, Cynthia

Cote, David
Irwin, Anne-Marie
Palangas, Eric
Wheeler, James

Craig, James
LaFlamme, Paul
Schulze, Joan

Gorman, Mary
Lasky, Bette
Sullivan, Peter

MERRIMACK

DeJoie, John
Owen, Derek

Hamm, Christine
Potter, Frances

Jacobson, Alf

Lockwood, Priscilla

ROCKINGHAM

McEachern, Paul
Vallone, Matthew

Quandt, Matthew

Robertson, Carl

Splaine, James

STRAFFORD

Heon, Richard
Pelletier, Arthur

Hofemann, Roland
Rous, Emma

Johnson, Nancy
Spang, Judith

Keans, Sandra
Vachon, Dennis

SULLIVAN

Donovan, Thomas
Harris, Sandra

Ferland, Brenda
Phinizy, James

Franklin, Peter

Harris, Joseph

and the committee amendment was adopted.

Rep. Hager offered floor amendment (1267h).

Committee Floor Amendment (1267h)

This amendment was printed in its entirety in House Record No. 33, April 11, 2003 and is made part of this Journal by reference.

Reps. Rogers Johnson and Wendelboe spoke against and yielded to questions.

Rep. Emerton spoke in favor and yielded to questions.

Reps. Spiess and Hager spoke in favor.

Rep. Easson requested a roll call; sufficiently seconded.

The question being adoption of floor amendment (1267h).

YEAS 168 NAYS 212

YEAS 168

BELKNAP

Holbrook, Robert

Pilliod, James

CARROLL

Olimpio, J Lisbeth

Philbrick, Donald

CHESHIRE

Allen, Peter
Espieffs, Peter
Mitchell, McKim
Richardson, Barbara
Webber, Amy

Batchelder, Robert
Fish, Douglas
Parkhurst, Henry
Robertson, Timothy
Weed, Charles

Dunn, James
Manning, Joseph
Pratt, Irene
Slack, Pamela

Eaton, Daniel
Meador, David
Pratt, John
Tilton, Anna

COOS

King, Frederick
Theberge, Robert

Mears, Edgar

Poulin, Richard

Pratt, Leighton

GRAFTON

Akins, Ralph
Cooney, Mary
Hammond, Lee
Solomon, Peter

Almy, Susan
Densmore, Edward
Nordgren, Sharon

Benn, Bernard
Gionet, Edmond
Scovner, Nancy

Bleyler, Ruth
Ham, Bonnie
Sokol, Hilda

HILLSBOROUGH

Arnold, Thomas Jr
Brassard, Paul
Clayton, William
Dokmo, Cynthia
Gargas, Carolyn
Haytayan, Harry Jr
Katsiantonis, Thomas
Lasky, Bette

Balcom, John
Buckley, Raymond
Cote, Peter
Drisko, Richard
Graham, John
Irwin, Anne-Marie
Konys, Christine
Leach, Edward

Baroody, Benjamin
Carlson, Donald
Craig, James
Emerton, Larry
Haley, Robert
Jean, Claudette
Kopka, Angeline
Lefebvre, Roland

Bergin, Peter
Carter, Mark
Dionne, Kimberley
Ford, Nancy
Hallyburton, Margaret
Johnson, Lionel
Kudalis, Debra
McDonough-Wallace,
Alice
Palangas, Eric
Shaw, Barbara
Sweeney, Cynthia

Messier, Irene
Pappas, Christopher
Spiess, Paul

Movsesian, Lori
Pilotte, Maurice
Sullivan, Francis

O'Brien, Lori
Ross, Lawrence
Sullivan, Peter

MERRIMACK

Anderson, Eric

Blanchard, Elizabeth

Bouchard, Candace

Brueggemann,
Donald
Davis, Frank
Gile, Mary
Kenison, Leon
MacKay, James
Potter, Frances
Wallner, Mary Jane

Clarke, Claire
DeJoie, John
Hager, Elizabeth
Langer, Ray
Osborne, Jessie
Reardon, Tara

Colcord, J D
DeStefano, Stephen
Hamm, Christine
Leber, William
Owen, Derek
Reed, Dennis

Daniels, Eric
French, Barbara
Jacobson, Alf
Lockwood, Priscilla
Perkins, Randy
Rush, Deanna

ROCKINGHAM

Blanchard, MaryAnn
Corbin, Corey
Gleason, John
Langone, John
Robertson, Carl
Vallone, Matthew

Casey, Kimberley
Davidson, Robert
Gould, Kenneth
Norelli, Terie
Shultis, Elizabeth
Winchell, George

Coes, Betsy
DiFruscia, Anthony
Johnson, Robert
Pantelakos, Laura
Stone, Joseph
Zolla, William

Cooney, Richard
Dodge, Robert
Kelley, Jane
Pitts, Jacqueline
Tufts, J Arthur

STRAFFORD

Berube, Roger
Dunlap, Patricia
Johnson, Nancy
Pelletier, Arthur
Smith, Marjorie
Vachon, Dennis

Bickford, David
Grassie, Anne
Kaen, Naida
Rollo, Deanna
Snyder, Clair
Wall, Janet

Callaghan, Frank
Heon, Richard
Keans, Sandra
Rous, Emma
Spang, Judith

Creteau, Irene
Hofemann, Roland
Knowles, William
Schmidt, Peter
Taylor, Katherine

SULLIVAN

Allison, David
Ferland, Brenda
Jones, Constance

Burling, Peter
Flint, Gordon Sr
Leone, Richard

Cloutier, John
Harris, Joseph
Phinizy, James

Donovan, Thomas
Harris, Sandra

NAYS 212

BELKNAP

Ahern, Omer Jr
Clark, Charles
Lawton, David
Thomas, John

Allen, Janet
Dewhirst, Glenn
Nedeau, Stephen
Wendelboe, Fran

Bartlett, Gordon
Fitzgerald, James
Rice, Thomas
Whalley, Michael

Boyce, Laurie
Flanders, Donald
Russell, David

CARROLL

Babson, David Jr
Hatch, Paul
Mock, Henry

Brown, Carolyn
Kenney, Bettie
Patten, Betsey

Derby, Mark
McConkey, Mark
Stevens, Stanley

Dickinson, Howard
Morrow, Harry

CHESHIRE

Dexter, Judson
Royce, H Charles

Hunt, John

Laurent, John

Liebl, George

COOS

Brady, Mark
Tholl, John Jr

Guay, Lawrence
Woodward, David

Richardson, Herbert

Stohl, Eric

GRAFTON

Alger, John
Gilman, G Michael
Sorg, Gregory

Dorsett, Andrew
Giuda, Robert
Williams, Burton

Dudley, Terri
Ingretson, Paul

Eaton, Stephanie
Maybeck, Margie

HILLSBOROUGH

Adams, Jarvis
Balboni, Michael
Bergeron, Jean-Guy
Buhlman, David
Chabot, Robert

Allan, Nelson
Barry, J Gail
Bouchard, David
Cail, Kenneth
Christensen, D L
Chris
Coughlin, Pamela

Allen, Timothy
Batula, Peter
Brundige, Robert
Carter, Jeffrey
Christiansen, Lars

Artz, Lawrence
Beaton, William
Bruno, Pierre
Cernota, Albert
Clemons, Jane

Cote, David

Crane, Elenore
Casey

Desmarais, Vivian

Elliott, Larry
Gibson, John
Goyette, Peter Jr
Hansen, Ryan
Holden, Randolph
Jasper, Shawn
LaFlamme, Paul
McElroy, Henry Jr
Milligan, Robert
Pappas, Marc
Rowe, Robert
Souza, Kathleen
Tate, Joan

Fields, Dennis
Gonzalez, Carlos
Greenberg, Gary
Harrington, Paul
Hopper, Gary
Kerns, J Edward
Lawrence, James
McHugh, Claire
Mooney, Maureen
Pepino, Leo
Scanlon, Michael
Stepanek, Stephen
Vaillancourt, Steve

Fletcher, Richard
Gorman, Mary
Hagan, Barbara
Hawkins, Ken
Hunter, Bruce
Kurk, Neal
Lessard, Rudy
McRae, Karen
Moran, Edward
Price, Pamela
Schulze, Joan
Sullivan, Jeffrey
Wheeler, James

Furman, Christine
Goulet, Maurice
Hall, Charles
Hinkle, Peyton
Infantine, William
Laflamme, Charles
Luebker, Bernard
Mercer, Robert
Mosher, William
Reeves, Sandra
Slocum, Lee
Tahir, Saghir
Wheeler, Robert

MERRIMACK

Currier, David
Fraser, Leo Jr
Marple, Richard
Oliver, James

Dunne, Christopher
Hess, David
Maxfield, Roy
Ouellette, Robert

Field, William
Kennedy, Richard
McCormick, Tom
Soltani, Tony

Foley, Albert
L'Heureux, Stephen
Nutter, Edward

ROCKINGHAM

Allen, Mary
Bridle, Russell
Clark, Vivian
Dumaine, Dudley
Flayhan, Mary Lou
Gillick, Thomas
Holland, James Jr
Introne, Robert
Kobel, Rudolph
McEachern, Paul
Morris, Richard

Belanger, Ronald
Cady, Harriet
Dalrymple, Janeen
Dupuis, Roland
Francoeur, Sheila
Griffin, Mary
Hughes, Daniel
Johnson, Rogers
Letourneau, Robert
McKinney, Betsy
Noyes, Richard

Bicknell, Elbert
Camm, Kevin
Dearborn, Bruce
Fesh, Bob
Gilbert, Jeffrey
Hamel, Albert
Hutchinson, Karen
Katsakiores, George
Major, Norman
McMahon, Charles
Packard, Sherman

Bishop, Franklin
Carson, Sharon
Doyle, Christopher
Flanders, John Sr
Gilbert, Karl
Headd, James
Ingram, Russell
Katsakiores, Phyllis
McCann, Richard
Moore, Benjamin
Priestley, Anne

Putnam, Ed II
Ruffner, Walter
Stritch, C Donald
Welch, David

Quandt, Matthew
Scamman, Stella
Varrell, Thomas
Weldy, Norman Jr

Rausch, James
Smith, Donald
Waterhouse, Kevin
Weyler, Kenneth

Roessner, Kurt
Splaine, James
Weare, E Albert
Wiley, Robert

STRAFFORD

Albert, Russell
Easson, Timothy
Newton, Clifford

Bemis, Alan
Harrington, Michael
Scott, David

Campbell, W Packy
Hollinger, Jeffrey
Twombly, James

Cataldo, Sam
Musler, George
Woods, Phyllis

SULLIVAN

Franklin, Peter
and floor amendment (1267h) failed.

Rodeschin, Beverly

Rep. Whalley offered floor amendment (1295h).

Floor Amendment (1295h)

Amend section 1 of the bill by making the following specified changes, and by changing subtotals and totals as hereinafter specified to reflect the specified changes.

01 GENERAL GOVERNMENT

10 NH RETIREMENT SYSTEM

02 STATE CONTRIBUTIONS

Strike out

92 RETIREES HEALTH INSURANCE	F11,204,760	11,119,717
------------------------------	-------------	------------

Insert in place thereof

92 RETIREES HEALTH INSURANCE	F25,000,000	30,000,000
------------------------------	-------------	------------

TOTAL	50,878,411	57,075,949
-------	------------	------------

ESTIMATED SOURCE OF FUNDS FOR STATE CONTRIBUTIONS

Strike out

GENERAL FUND	37,083,171	38,195,666
--------------	------------	------------

Insert in place thereof

GENERAL FUND	50,878,411	57,075,949
--------------	------------	------------

TOTAL	50,878,411	57,075,949
-------	------------	------------

05 HEALTH AND SOCIAL SERVICES

01 DEPT OF HEALTH AND HUMAN SVCS

10 DIV OF ELDERLY & ADULT SVCS

04 MEDICAL SERVICES

01 NURSING SERVICES

Strike out

90 NURSING SERVICES	172,411,739	172,411,739
---------------------	-------------	-------------

Insert in place thereof

90 NURSING SERVICES	181,486,041	181,486,041
---------------------	-------------	-------------

TOTAL	345,540,382	340,025,631
-------	-------------	-------------

ESTIMATED SOURCE OF FUNDS FOR NURSING SERVICES

Strike out

FEDERAL FUNDS	168,331,540	165,562,701
---------------	-------------	-------------

Insert in place thereof

FEDERAL FUNDS	172,868,690	170,099,851
---------------	-------------	-------------

Strike out

05 PRIVATE LOCAL FUNDS	I 81,113,585	78,673,820
------------------------	--------------	------------

Insert in place thereof

05 PRIVATE LOCAL FUNDS	I 83,382,161	80,942,396
------------------------	--------------	------------

Strike out

GENERAL FUND	58,463,801	58,157,654
Insert in place thereof		
GENERAL FUND	60,732,377	60,426,230
TOTAL	345,540,382	340,025,631

Amend the bill by replacing section 7 with the following:

7 General Fund Appropriation Reduction; Judicial Branch. The judicial branch is hereby directed to reduce all state general fund appropriations by \$7,474,589 for the fiscal year ending June 30, 2004 and \$7,030,628 for the fiscal year ending June 30, 2005 excluding PAU 02-01-05, class 049. The reductions required by this section shall be distributed among all judicial branch program appropriation units; each program appropriation unit shall be reduced by an amount that bears the same proportional relation to total reductions as the unit's appropriations bear to total judicial branch appropriations. The chief justice of the supreme court or designee shall, by July 1, 2003, notify the department of administrative services as to the specific amounts to be reduced in specified line item appropriations in functional units, in order to comply fully with this section. The chief justice of the supreme court or designee shall, by July 1, 2004, notify the department of administrative services as to the specific amounts to be reduced in specified line item appropriations in functional units, in order to comply fully with this section.

Amend the bill by inserting after section 14 the following and renumbering the original section 15 to read as 17:

15 General Fund Appropriation Reduction; Department of Corrections. The department of corrections is hereby directed to reduce state general fund appropriations by \$1,700,000 for the fiscal year ending June 30, 2004 and \$1,700,000 for the fiscal year ending June 30, 2005.

16 Administrative Cost Assessment Reduction; New Hampshire Retirement System. Notwithstanding any other provision of law, the board of trustees of the New Hampshire Retirement System should review and reduce administrative cost assessments to an extent that the reductions yield a net savings in state general fund appropriations of \$12,000,000 for the fiscal year ending June 30, 2005.

Rep. Burling inquired if the amendment was divisible and asked to have the portion of the amendment dealing with Section 1 of the bill divided from the remainder of the amendment. The Speaker ruled the amendment was divisible and so ordered.

Rep. Elliot requested a roll call; sufficiently seconded.

The question being adoption of Section 1 of floor amendment (1295h).

YEAS 358 NAYS 22

YEAS 358

BELKNAP

Ahern, Omer Jr	Allen, Janet	Bartlett, Gordon	Boyce, Laurie
Clark, Charles	Dewhirst, Glenn	Fitzgerald, James	Flanders, Donald
Holbrook, Robert	Lawton, David	Nedeau, Stephen	Pilliod, James
Rice, Thomas	Russell, David	Thomas, John	Wendelboe, Fran
Whalley, Michael			

CARROLL

Babson, David Jr	Brown, Carolyn	Derby, Mark	Dickinson, Howard
Hatch, Paul	Kenney, Bettie	McConkey, Mark	Merrow, Harry
Mock, Henry	Olimpio, J Lisbeth	Patten, Betsey	Philbrick, Donald
Stevens, Stanley			

CHESHIRE

Allen, Peter	Batchelder, Robert	Dexter, Judson	Dunn, James
Eaton, Daniel	Espieffs, Peter	Fish, Douglas	Hunt, John

Laurent, John
Mitchell, McKim
Robertson, Timothy
Webber, Amy

Liebl, George
Parkhurst, Henry
Royce, H Charles

Manning, Joseph
Pratt, Irene
Slack, Pamela

Meador, David
Richardson, Barbara
Tilton, Anna

COOS

Brady, Mark
Poulin, Richard
Theberge, Robert

Guay, Lawrence
Pratt, Leighton
Tholl, John Jr

King, Frederick
Richardson, Herbert
Woodward, David

Mears, Edgar
Stohl, Eric

GRAFTON

Akins, Ralph
Bleyler, Ruth
Dudley, Terri
Giuda, Robert
Maybeck, Margie
Solomon, Peter

Alger, John
Cooney, Mary
Eaton, Stephanie
Ham, Bonnie
Nordgren, Sharon
Sorg, Gregory

Almy, Susan
Densmore, Edward
Gilman, G Michael
Hammond, Lee
Scovner, Nancy
Williams, Burton

Benn, Bernard
Dorsett, Andrew
Gionet, Edmond
Ingbreton, Paul
Sokol, Hilda

HILLSBOROUGH

Adams, Jarvis
Artz, Lawrence
Barry, J Gail
Bergin, Peter
Buckley, Raymond
Carter, Jeffrey
Christensen, D L
Chris
Cote, David
Crane, Elenore
Casey
Elliott, Larry
Furman, Christine
Goulet, Maurice
Hagan, Barbara

Allan, Nelson
Balboni, Michael
Batula, Peter
Brassard, Paul
Buhlman, David
Carter, Mark
Christiansen, Lars

Allen, Timothy
Balcom, John
Beaton, William
Brundige, Robert
Cail, Kenneth
Cernota, Albert
Clayton, William

Arnold, Thomas Jr
Baroody, Benjamin
Bergeron, Jean-Guy
Bruno, Pierre
Carlson, Donald
Chabot, Robert
Clemons, Jane

Harrington, Paul
Holden, Randolph
Irwin, Anne-Marie
Kerns, J Edward
Kurk, Neal
Lawrence, James
McDonough-Wallace,
Alice
Mercer, Robert
Moran, Edward
Palangas, Eric
Pilotte, Maurice
Rowe, Robert
Slocum, Lee
Sullivan, Francis
Tahir, Saghir

Hawkins, Ken
Hopper, Gary
Jasper, Shawn
Konys, Christine
Laflamme, Charles
Lefebvre, Roland
McElroy, Henry Jr

Fields, Dennis
Gonzalez, Carlos
Graham, John
Hallyburton,
Margaret
Haytayan, Harry Jr
Hunter, Bruce
Jean, Claudette
Kopka, Angeline
LaFlamme, Paul
Lessard, Rudy
McHugh, Claire

Hinkle, Peyton
Infantine, William
Katsiantonis, Thomas
Kudalis, Debra
Lasky, Bette
Luebckert, Bernard
McRae, Karen

Messier, Irene
Mosher, William
Pappas, Christopher
Price, Pamela
Scanlon, Michael
Souza, Kathleen
Sullivan, Jeffrey
Tate, Joan

Milligan, Robert
Movsesian, Lori
Pappas, Marc
Reeves, Sandra
Schulze, Joan
Spiess, Paul
Sullivan, Peter
Vaillancourt, Steve

Mooney, Maureen
O'Brien, Lori
Pepino, Leo
Ross, Lawrence
Shaw, Barbara
Stepanek, Stephen
Sweeney, Cynthia
Wheeler, Robert

MERRIMACK

Anderson, Eric

Blanchard, Elizabeth

Bouchard, Candace

Brueggemann,
Donald

Clarke, Claire
Davis, Frank
Field, William

Colcord, J D
DeJoie, John
Foley, Albert

Currier, David
DeStefano, Stephen
Fraser, Leo Jr

Daniels, Eric
Dunne, Christopher
French, Barbara

Gile, Mary
Jacobson, Alf
Leber, William
Maxfield, Roy
Osborne, Jessie
Potter, Frances
Soltani, Tony

Hager, Elizabeth
Kennedy, Richard
Lockwood, Priscilla
McCormick, Tom
Ouellette, Robert
Reardon, Tara
Wallner, Mary Jane

Hamm, Christine
L'Heureux, Stephen
MacKay, James
Nutter, Edward
Owen, Derek
Reed, Dennis

Hess, David
Langer, Ray
Marple, Richard
Oliver, James
Perkins, Randy
Rush, Deanna

ROCKINGHAM

Allen, Mary
Blanchard, MaryAnn
Carson, Sharon
Cooney, Richard
DiFruscia, Anthony
Dupuis, Roland
Francoeur, Sheila
Gleason, John
Headd, James
Introne, Robert
Kelley, Jane
Major, Norman
Morris, Richard
Pantelakos, Laura
Quandt, Matthew
Ruffner, Walter
Stone, Joseph
Varrell, Thomas
Weldy, Norman Jr
Zolla, William

Belanger, Ronald
Bridle, Russell
Casey, Kimberley
Dalrymple, Janeen
Dodge, Robert
Fesh, Bob
Gilbert, Jeffrey
Gould, Kenneth
Holland, James Jr
Johnson, Rogers
Kobel, Rudolph
McCann, Richard
Norelli, Terie
Pitts, Jacqueline
Rausch, James
Scamman, Stella
Stritch, C Donald
Waterhouse, Kevin
Weyler, Kenneth

Bicknell, Elbert
Cady, Harriet
Clark, Vivian
Davidson, Robert
Doyle, Christopher
Flanders, John Sr
Gilbert, Karl
Griffin, Mary
Hughes, Daniel
Katsakiores, George
Langone, John
McKinney, Betsy
Noyes, Richard
Priestley, Anne
Robertson, Carl
Shultis, Elizabeth
Tufts, J Arthur
Weare, E Albert
Wiley, Robert

Bishop, Franklin
Camm, Kevin
Coes, Betsy
Dearborn, Bruce
Dumaine, Dudley
Flayhan, Mary Lou
Gillick, Thomas
Hamel, Albert
Ingram, Russell
Katsakiores, Phyllis
Letourneau, Robert
McMahon, Charles
Packard, Sherman
Putnam, Ed II
Roessner, Kurt
Smith, Donald
Vallone, Matthew
Welch, David
Winchell, George

STRAFFORD

Albert, Russell
Callaghan, Frank
Dunlap, Patricia
Heon, Richard
Kaen, Naida
Pelletier, Arthur
Scott, David
Taylor, Katherine
Woods, Phyllis

Bemis, Alan
Campbell, W Packy
Easson, Timothy
Hofemann, Roland
Knowles, William
Rollo, Deanna
Smith, Marjorie
Twombly, James

Berube, Roger
Cataldo, Sam
Grassie, Anne
Hollinger, Jeffrey
Musler, George
Rous, Emma
Snyder, Clair
Vachon, Dennis

Bickford, David
Creteau, Irene
Harrington, Michael
Johnson, Nancy
Newton, Clifford
Schmidt, Peter
Spang, Judith
Wall, Janet

SULLIVAN

Allison, David
Ferland, Brenda
Rodeschin, Beverly

Burling, Peter
Flint, Gordon Sr

Cloutier, John
Jones, Constance

Donovan, Thomas
Leone, Richard

NAYS 22

BELKNAP

None

CARROLL

None

CHESHIRE

Pratt, John

Weed, Charles

COOS

None

GRAFTON

None

HILLSBOROUGH

Bouchard, David
Hall, Charles

Drisko, Richard
Johnson, Lionel

Ford, Nancy
Leach, Edward

Gibson, John
Wheeler, James

MERRIMACK

Kenison, Leon

ROCKINGHAM

Corbin, Corey
Moore, Benjamin

Hutchinson, Karen
Splaine, James

Johnson, Robert

McEachern, Paul

STRAFFORD

Keans, Sandra

SULLIVAN

Franklin, Peter
and Section 1 of floor amendment (1295h) was adopted.

Harris, Joseph

Harris, Sandra

Phinizy, James

The question now being adoption of the remainder of floor amendment (1295h).
Reps. Marjorie Smith and Burling spoke against.
Reps. Kurk and Wheeler spoke in favor.
Rep. Reed requested a roll call; sufficiently seconded.
The question now being adoption of the remainder of floor amendment (1295h).

YEAS 230 NAYS 150

YEAS 230

BELKNAP

Ahern, Omer Jr
Clark, Charles
Holbrook, Robert
Russell, David

Allen, Janet
Dewhirst, Glenn
Lawton, David
Thomas, John

Bartlett, Gordon
Fitzgerald, James
Nedeau, Stephen
Wendelboe, Fran

Boyce, Laurie
Flanders, Donald
Rice, Thomas
Whalley, Michael

CARROLL

Babson, David Jr
Kenney, Bettie
Olimpio, J Lisbeth

Brown, Carolyn
McConkey, Mark
Patten, Betsey

Dickinson, Howard
Merrow, Harry
Philbrick, Donald

Hatch, Paul
Mock, Henry
Stevens, Stanley

CHESHIRE

Dexter, Judson
Royce, H Charles

Hunt, John

Laurent, John

Liebl, George

COOS

Brady, Mark
Richardson, Herbert
Woodward, David

Guay, Lawrence
Stohl, Eric

King, Frederick
Theberge, Robert

Pratt, Leighton
Tholl, John Jr

GRAFTON

Alger, John
Gilman, G Michael
Ingbretson, Paul

Dorsett, Andrew
Gionet, Edmond
Maybeck, Margie

Dudley, Terri
Giuda, Robert
Sorg, Gregory

Eaton, Stephanie
Ham, Bonnie
Williams, Burton

HILLSBOROUGH

Adams, Jarvis
Artz, Lawrence
Batula, Peter
Bruno, Pierre

Allan, Nelson
Balboni, Michael
Beaton, William
Buhlman, David

Allen, Timothy
Balcom, John
Bergeron, Jean-Guy
Cail, Kenneth

Arnold, Thomas Jr
Barry, J Gail
Brundige, Robert
Carlson, Donald

Carter, Jeffrey
Christensen, D L
Chris
Desmarais, Vivian
Fields, Dennis
Gonzalez, Carlos
Greenberg, Gary
Harrington, Paul
Holden, Randolph
Jasper, Shawn
Laflamme, Charles
McElroy, Henry Jr
Milligan, Robert
O'Brien, Lori
Reeves, Sandra
Slocum, Lee
Sullivan, Jeffrey
Wheeler, Robert

Carter, Mark
Christiansen, Lars

Dionne, Kimberley
Fletcher, Richard
Goulet, Maurice
Hagan, Barbara
Hawkins, Ken
Hopper, Gary
Johnson, Lionel
Lawrence, James
McHugh, Claire
Mooney, Maureen
Pappas, Marc
Ross, Lawrence
Souza, Kathleen
Tahir, Saghir

Cernota, Albert
Coughlin, Pamela

Elliott, Larry
Furman, Christine
Goyette, Peter Jr
Hallyburton, Margaret
Haytayan, Harry Jr
Hunter, Bruce
Kerns, J Edward
Lessard, Rudy
McRae, Karen
Moran, Edward
Pepino, Leo
Rowe, Robert
Spiess, Paul
Vaillancourt, Steve

Chabot, Robert
Crane, Elenore
Casey
Emerton, Larry
Gibson, John
Graham, John
Hansen, Ryan
Hinkle, Peyton
Infantine, William
Kurk, Neal
Luebker, Bernard
Mercer, Robert
Mosher, William
Price, Pamela
Scanlon, Michael
Stepanek, Stephen
Wheeler, James

MERRIMACK

Anderson, Eric
Field, William
Kennedy, Richard
MacKay, James
Nutter, Edward

Colcord, J D
Foley, Albert
L'Heureux, Stephen
Marple, Richard
Oliver, James

Currier, David
Fraser, Leo Jr
Langer, Ray
Maxfield, Roy
Ouellette, Robert

Dunne, Christopher
Hess, David
Leber, William
McCormick, Tom
Soltani, Tony

ROCKINGHAM

Belanger, Ronald
Cady, Harriet
Dalrymple, Janeen
Doyle, Christopher
Flanders, John Sr
Gilbert, Karl
Hamel, Albert
Ingram, Russell
Katsakiores, George
Letourneau, Robert
McMahon, Charles
Priestley, Anne
Ruffner, Walter
Stritch, C Donald
Weare, E Albert
Wiley, Robert

Bicknell, Elbert
Camm, Kevin
Dearborn, Bruce
Dumaine, Dudley
Flayhan, Mary Lou
Gillick, Thomas
Headd, James
Introne, Robert
Katsakiores, Phyllis
Major, Norman
Morris, Richard
Putnam, Ed II
Scamman, Stella
Tufts, J Arthur
Welch, David

Bishop, Franklin
Carson, Sharon
DiFruscia, Anthony
Dupuis, Roland
Francoeur, Sheila
Gleason, John
Hughes, Daniel
Johnson, Robert
Kelley, Jane
McCann, Richard
Noyes, Richard
Rausch, James
Smith, Donald
Varrell, Thomas
Weldy, Norman Jr

Bridle, Russell
Clark, Vivian
Dodge, Robert
Fesh, Bob
Gilbert, Jeffrey
Griffin, Mary
Hutchinson, Karen
Johnson, Rogers
Kobel, Rudolph
McKinney, Betsy
Packard, Sherman
Roessner, Kurt
Stone, Joseph
Waterhouse, Kevin
Weyler, Kenneth

STRAFFORD

Albert, Russell
Easson, Timothy
Newton, Clifford

Bemis, Alan
Harrington, Michael
Scott, David

Campbell, W Packy
Hollinger, Jeffrey
Twombly, James

Cataldo, Sam
Musler, George
Woods, Phyllis

SULLIVAN

Jones, Constance

Rodeschin, Beverly

NAYS 150

BELKNAP

Pilliod, James

CARROLL

Derby, Mark

CHESHIRE

Allen, Peter
Espieffs, Peter
Mitchell, McKim
Richardson, Barbara
Webber, Amy

Batchelder, Robert
Fish, Douglas
Parkhurst, Henry
Robertson, Timothy
Weed, Charles

Dunn, James
Manning, Joseph
Pratt, Irene
Slack, Pamela

Eaton, Daniel
Meader, David
Pratt, John
Tilton, Anna

COOS

Mears, Edgar

Poulin, Richard

GRAFTON

Akins, Ralph
Cooney, Mary
Scovner, Nancy

Almy, Susan
Densmore, Edward
Sokol, Hilda

Benn, Bernard
Hammond, Lee
Solomon, Peter

Bleyler, Ruth
Nordgren, Sharon

HILLSBOROUGH

Baroody, Benjamin
Buckley, Raymond
Cote, Peter
Ford, Nancy
Hall, Charles
Konys, Christine
Lasky, Bette

Bergin, Peter
Clayton, William
Craig, James
Gargasz, Carolyn
Irwin, Anne-Marie
Kopka, Angeline
Leach, Edward

Bouchard, David
Clemons, Jane
Dokmo, Cynthia
Gorman, Mary
Jean, Claudette
Kudalis, Debra
Lefebvre, Roland

Brassard, Paul
Cote, David
Drisko, Richard
Haley, Robert
Katsiantonis, Thomas
LaFlamme, Paul
McDonough-Wallace,
Alice
Pappas, Christopher
Sullivan, Francis

Messier, Irene
Pilotte, Maurice
Sullivan, Peter

Movsesian, Lori
Schulze, Joan
Sweeney, Cynthia

Palangas, Eric
Shaw, Barbara
Tate, Joan

MERRIMACK

Blanchard, Elizabeth

Bouchard, Candace

Brueggemann,
Donald

Clarke, Claire

Daniels, Eric
French, Barbara
Jacobson, Alf
Owen, Derek
Reed, Dennis

Davis, Frank
Gile, Mary
Kenison, Leon
Perkins, Randy
Rush, Deanna

DeJoie, John
Hager, Elizabeth
Lockwood, Priscilla
Potter, Frances
Wallner, Mary Jane

DeStefano, Stephen
Hamm, Christine
Osborne, Jessie
Reardon, Tara

ROCKINGHAM

Allen, Mary
Cooney, Richard
Holland, James Jr
Norelli, Terie
Robertson, Carl
Winchell, George

Blanchard, MaryAnn
Corbin, Corey
Langone, John
Pantelakos, Laura
Shultis, Elizabeth
Zolla, William

Casey, Kimberley
Davidson, Robert
McEachern, Paul
Pitts, Jacqueline
Splaine, James

Coes, Betsy
Gould, Kenneth
Moore, Benjamin
Quandt, Matthew
Vallone, Matthew

STRAFFORD

Berube, Roger
Dunlap, Patricia
Johnson, Nancy
Pelletier, Arthur
Smith, Marjorie
Vachon, Dennis

Bickford, David
Grassie, Anne
Kaen, Naida
Rollo, Deanna
Snyder, Clair
Wall, Janet

Callaghan, Frank
Heon, Richard
Keans, Sandra
Rous, Emma
Spang, Judith

Creteau, Irene
Hofemann, Roland
Knowles, William
Schmidt, Peter
Taylor, Katherine

SULLIVAN

Allison, David
Ferland, Brenda
Harris, Sandra

Burling, Peter
Flint, Gordon Sr
Leone, Richard

Cloutier, John
Franklin, Peter
Phinizy, James

Donovan, Thomas
Harris, Joseph

and the remainder of floor amendment (1295h) was adopted.

The question now being adoption of the amended committee report.

Rep. Burling spoke against.

Rep. Kurk spoke in favor.

Rep. Osborne requested a roll call; sufficiently seconded.

The question now being adoption of the amended committee report.

YEAS 238 NAYS 142

YEAS 238

BELKNAP

Ahern, Omer Jr	Allen, Janet	Bartlett, Gordon	Boyce, Laurie
Clark, Charles	Dewhirst, Glenn	Fitzgerald, James	Flanders, Donald
Holbrook, Robert	Lawton, David	Nedeau, Stephen	Pilliod, James
Rice, Thomas	Russell, David	Thomas, John	Wendelboe, Fran
Whalley, Michael			

CARROLL

Babson, David Jr	Brown, Carolyn	Derby, Mark	Hatch, Paul
Kenney, Bettie	McConkey, Mark	Merrow, Harry	Mock, Henry
Olimpio, J Lisbeth	Patten, Betsey	Philbrick, Donald	Stevens, Stanley

CHESHIRE

Dexter, Judson	Hunt, John	Laurent, John	Liebl, George
Royce, H Charles			

COOS

Brady, Mark	Guay, Lawrence	King, Frederick	Pratt, Leighton
Richardson, Herbert	Stohl, Eric	Theberge, Robert	Tholl, John Jr
Woodward, David			

GRAFTON

Alger, John	Dorsett, Andrew	Dudley, Terri	Eaton, Stephanie
Gilman, G Michael	Gionet, Edmond	Giuda, Robert	Ingbretson, Paul
Maybeck, Margie	Sorg, Gregory	Williams, Burton	

HILLSBOROUGH

Adams, Jarvis	Allan, Nelson	Allen, Timothy	Arnold, Thomas Jr
Artz, Lawrence	Balboni, Michael	Balcom, John	Barry, J Gail
Batula, Peter	Beaton, William	Bergeron, Jean-Guy	Brundige, Robert
Bruno, Pierre	Buhlman, David	Cail, Kenneth	Carlson, Donald
Carter, Jeffrey	Carter, Mark	Cernota, Albert	Chabot, Robert
Christensen, D L	Christiansen, Lars	Coughlin, Pamela	Crane, Elenore
Chris			Casey
Desmarais, Vivian	Dionne, Kimberley	Elliott, Larry	Emerton, Larry
Fields, Dennis	Fletcher, Richard	Ford, Nancy	Furman, Christine
Gargas, Carolyn	Gibson, John	Gonzalez, Carlos	Goulet, Maurice
Goyette, Peter Jr	Graham, John	Greenberg, Gary	Hagan, Barbara
Hall, Charles	Hallyburton, Margaret	Hansen, Ryan	Harrington, Paul
Hawkins, Ken	Haytayan, Harry Jr	Hinkle, Peyton	Holden, Randolph
Hopper, Gary	Hunter, Bruce	Infantine, William	Jasper, Shawn
Kerns, J Edward	Kurk, Neal	Laflamme, Charles	Lawrence, James
Lessard, Rudy	Luebker, Bernard	McElroy, Henry Jr	McHugh, Claire
McRae, Karen	Mercer, Robert	Milligan, Robert	Mooney, Maureen
Moran, Edward	Mosher, William	O'Brien, Lori	Pappas, Marc
Pepino, Leo	Price, Pamela	Reeves, Sandra	Ross, Lawrence
Rowe, Robert	Scanlon, Michael	Slocum, Lee	Souza, Kathleen
Stepanek, Stephen	Sullivan, Jeffrey	Tahir, Saghir	Vaillancourt, Steve

Wheeler, Robert

MERRIMACK

Anderson, Eric
Field, William
Kennedy, Richard
MacKay, James
Nutter, Edward
Soltani, Tony

Colcord, J D
Foley, Albert
L'Heureux, Stephen
Marple, Richard
Oliver, James

Currier, David
Fraser, Leo Jr
Langer, Ray
Maxfield, Roy
Ouellette, Robert

Dunne, Christopher
Hess, David
Leber, William
McCormick, Tom
Reed, Dennis

ROCKINGHAM

Allen, Mary
Bridle, Russell
Dalrymple, Janeen
Doyle, Christopher
Flanders, John Sr
Gilbert, Karl
Griffin, Mary
Hughes, Daniel
Johnson, Robert
Kelley, Jane
McCann, Richard
Morris, Richard
Putnam, Ed II
Scamman, Stella
Tufts, J Arthur
Welch, David
Winchell, George

Belanger, Ronald
Cady, Harriet
Dearborn, Bruce
Dumaine, Dudley
Flayhan, Mary Lou
Gillick, Thomas
Hamel, Albert
Hutchinson, Karen
Johnson, Rogers
Kobel, Rudolph
McKinney, Betsy
Noyes, Richard
Rausch, James
Smith, Donald
Varrell, Thomas
Weldy, Norman Jr
Zolla, William

Bicknell, Elbert
Camm, Kevin
DiFruscia, Anthony
Dupuis, Roland
Francoeur, Sheila
Gleason, John
Headd, James
Ingram, Russell
Katsakiores, George
Letourneau, Robert
McMahon, Charles
Packard, Sherman
Roessner, Kurt
Stone, Joseph
Waterhouse, Kevin
Weyler, Kenneth

Bishop, Franklin
Carson, Sharon
Dodge, Robert
Fesh, Bob
Gilbert, Jeffrey
Gould, Kenneth
Holland, James Jr
Introne, Robert
Katsakiores, Phyllis
Major, Norman
Moore, Benjamin
Priestley, Anne
Ruffner, Walter
Stritch, C Donald
Weare, E Albert
Wiley, Robert

STRAFFORD

Albert, Russell
Cataldo, Sam
Musler, George
Woods, Phyllis

Bemis, Alan
Easson, Timothy
Newton, Clifford

Bickford, David
Harrington, Michael
Scott, David

Campbell, W Packy
Hollinger, Jeffrey
Twombly, James

SULLIVAN

Jones, Constance

Leone, Richard

Rodeschin, Beverly

NAYS 142

BELKNAP

None

CARROLL

Dickinson, Howard

CHESHIRE

Allen, Peter
Espieffs, Peter
Mitchell, McKim
Richardson, Barbara
Webber, Amy

Batchelder, Robert
Fish, Douglas
Parkhurst, Henry
Robertson, Timothy
Weed, Charles

Dunn, James
Manning, Joseph
Pratt, Irene
Slack, Pamela

Eaton, Daniel
Meader, David
Pratt, John
Tilton, Anna

COOS

Mears, Edgar

Poulin, Richard

GRAFTON

Akins, Ralph
Cooney, Mary
Nordgren, Sharon

Almy, Susan
Densmore, Edward
Scovner, Nancy

Benn, Bernard
Ham, Bonnie
Sokol, Hilda

Bleyler, Ruth
Hammond, Lee
Solomon, Peter

HILLSBOROUGH

Baroody, Benjamin	Bergin, Peter	Bouchard, David	Brassard, Paul
Buckley, Raymond	Clayton, William	Clemons, Jane	Cote, David
Cote, Peter	Craig, James	Dokmo, Cynthia	Drisko, Richard
Gorman, Mary	Haley, Robert	Irwin, Anne-Marie	Jean, Claudette
Johnson, Lionel	Katsiantonis, Thomas	Konys, Christine	Kopka, Angeline
Kudalis, Debra	LaFlamme, Paul	Lasky, Bette	Leach, Edward
Lefebvre, Roland	McDonough-Wallace, Alice	Messier, Irene	Movsesian, Lori
Palangas, Eric	Pappas, Christopher	Pilotte, Maurice	Schulze, Joan
Shaw, Barbara	Spiess, Paul	Sullivan, Francis	Sullivan, Peter
Sweeney, Cynthia	Tate, Joan	Wheeler, James	

MERRIMACK

Blanchard, Elizabeth	Bouchard, Candace	Brueggemann, Donald	Clarke, Claire
Daniels, Eric	Davis, Frank	DeJoie, John	DeStefano, Stephen
French, Barbara	Gile, Mary	Hager, Elizabeth	Hamm, Christine
Jacobson, Alf	Kenison, Leon	Lockwood, Priscilla	Osborne, Jessie
Owen, Derek	Perkins, Randy	Potter, Frances	Reardon, Tara
Rush, Deanna	Wallner, Mary Jane		

ROCKINGHAM

Blanchard, MaryAnn	Casey, Kimberley	Clark, Vivian	Coes, Betsy
Cooney, Richard	Corbin, Corey	Davidson, Robert	Langone, John
McEachern, Paul	Norelli, Terie	Pantelakos, Laura	Pitts, Jacqueline
Quandt, Matthew	Robertson, Carl	Shultis, Elizabeth	Splaine, James
Vallone, Matthew			

STRAFFORD

Berube, Roger	Callaghan, Frank	Creteau, Irene	Dunlap, Patricia
Grassie, Anne	Heon, Richard	Hofemann, Roland	Johnson, Nancy
Kaen, Naida	Keans, Sandra	Knowles, William	Pelletier, Arthur
Rollo, Deanna	Rous, Emma	Schmidt, Peter	Smith, Marjorie
Snyder, Clair	Spang, Judith	Taylor, Katherine	Vachon, Dennis
Wall, Janet			

SULLIVAN

Allison, David	Burling, Peter	Cloutier, John	Donovan, Thomas
Ferland, Brenda	Flint, Gordon Sr	Franklin, Peter	Harris, Joseph
Harris, Sandra	Phinizy, James		

and the amended committee report was adopted.
Ordered to third reading.

HB 2-FN-A, relative to state fees, funds, revenues, and expenditures. **OUGHT TO PASS WITH AMENDMENT**

Rep. Neal M. Kurk for Finance: This is the companion or trailer bill to HB 1-A, the biennial budget. It contains necessary statutory changes to allow HB 1-A to be executed appropriately. Key provisions create the Nurses State Program, the Start-up NH garage grant program, the reorganization of the Office of State Planning, the creation of the Office of Information Technology and Management, and an increase in court filing fees. The committee amendment to HB 2 supports the committee amendment to HB 1. Vote 17- 5.

Amendment (1273h)

Amend the bill by replacing all after the enacting clause with the following:

1 Department of Health and Human Services; Program Eligibility. For the biennium ending June 30, 2005, the department of health and human services shall not authorize, without prior approval of the fiscal committee of the general court and governor and council, any change to program eligibility standards or benefit levels that might be expected to increase enrollment in the program or increase expenditures from any source of funds; provided, however, that no such prior approval shall be required if a change to a federal program in which the state is participating as of the effective date of this section is required by federal law.

2 Public Assistance to Blind, Aged, or Disabled Persons, and to Dependent Children; Rulemaking Relative to the Earned Income and Eligibility for Aid to the Permanently and Totally Disabled. Amend RSA 167:3-c, IX to read as follows:

IX. The amount of earned income to be disregarded for purposes of calculating eligibility for aid to the permanently and totally disabled ~~[- which shall be consistent with the regulations of the federal Supplemental Security Income Program or its successor program].~~

3 New Paragraph; Department of Health and Human Services; Medicaid Pharmacy Benefits Management Program. Amend RSA 2002, 281:9 by inserting after paragraph I the following new paragraph:

I-a. The commissioner shall implement a preferred drug list program only after consultation with an expert in the area of such programs and after approval by the fiscal committee of the general court.

4 Governor's Salary Used for Employee Incentive Awards. Notwithstanding any other provision of the law, the governor may elect not to take a salary, and the commissioner of administrative services is authorized to move such appropriation to another class for employee incentives. All applicable taxes shall be deducted from any such appropriation.

5 Nursing Leveraged Scholarship Loan Program; Nurses Stat Program. Amend RSA 188-D:18-a and RSA 188-D:18-b to read as follows:

188-D:18-a Program Established. ***The general court recognizes the shortage of nurses in New Hampshire and recognizes the need to address this shortage by providing scholarship assistance to train registered nurses, licensed practical nurses, licensed nursing assistant and medications nursing assistants to serve in New Hampshire. Further, the general court recognizes the shortage of qualified instructors to teach these nursing programs at the regional community technical institute and colleges. To address this shortage,*** there is established ***the nurses stat program***, a nursing leveraged scholarship loan program, to be administered by the postsecondary education commission for the benefit of students pursuing approved programs of nursing study. ***These approved programs of nursing study shall include part-time or full-time programs for registered nurses, licensed practical nurses, licensed nursing assistants and medication nursing assistants.***

188-D:18-b Rulemaking. The commission shall adopt rules, under RSA 541-A, to carry out the ~~[leveraged scholarship loan]~~ ***nurses stat*** program, including establishing a reasonable maximum amount of money provided to a recipient under the program and a reasonable frequency of such loans, and setting minimum qualifications of applicants who are not registered nurses.

6 Nurses Stat Program; Use of Funds by Technical Colleges. Amend RSA 188-D:18-c, III to read as follows:

III. ***Except as provided in paragraph IV,*** educational institutions which are eligible for receipt of money provided to students under this subdivision shall match funds provided by the state in order to receive such money. The total amount of matching funds shall not exceed any amount provided by the state during each fiscal year. Such matching funds shall be provided in addition to any other sums provided by the state.

IV. State funds appropriated directly to the regional community-technical institute and the regional community-technical community colleges for the nurses stat program shall be used solely for the purpose of hiring, training, and retaining

teachers for nursing programs. Of the amount appropriated to the regional community-technical colleges, \$250,000 in each fiscal year shall be used to establish and operate a nursing program at the Keene campus of the regional-community technical colleges.

7 New Paragraphs; Nurses Stat Program; Terms of Repayment for Nursing Assistants. Amend RSA 188-D:18-e by inserting after paragraph II the following new paragraphs:

II-a. Recipients of loans for nursing assistant and medication nursing assistant programs, as those positions are defined by the state board of nursing, shall have their notes cancelled upon satisfactory completion of one year of full-time nursing service in New Hampshire immediately following certification. Repayment by service shall be completed within 3 years from the date of certification.

II-b. Certified nursing assistants and medication nursing assistants shall be eligible to apply for a loan under the nurses stat program to advance their qualifications to become a licensed practical nurse or registered nurse.

8 Nurses Stat Program; Terms of Repayment; Reference to Nursing Assistants Added. Amend the introductory paragraph of RSA 188-D:18-e, III to read as follows:

III. If the note is not cancelled because of service as a nurse, ***licensed nursing assistant, or medication nursing assistant***, the recipient shall repay the loan within 2 years:

9 New Section; Budget and Appropriations; Deficit Control; Can-do Incentive Program Established. Amend RSA 9 by inserting after section 13-e the following new section:

9:13-ee Can-do Incentive Program. The can-do incentive program is hereby established to encourage state employees and agency heads to initiate and implement reorganization and downsizing cost-saving measures. A total of 10 percent of any monetary savings resulting from reorganization or downsizing initiated and implemented by any state agency to reduce the expenditures identified in the agency's biennium budget shall be divided among the agency head and agency employees in the following manner: Ten percent of the 10 percent of moneys saved shall be distributed to the agency head and 90 percent of the 10 percent of moneys saved shall be distributed to the agency employees who initiated and implemented the reorganization or downsizing measures to reduce the agency's expenditures. Under no circumstance shall the total monetary award to any agency head exceed the sum of \$25,000. All applicable taxes shall be deducted from any award under this program. No monetary award shall be made to any employee or agency head unless the agency demonstrates that it has reduced its biennium budget as a result of reorganization or downsizing measures. The remaining 90 percent of the monetary savings resulting from reorganization or downsizing shall be deposited in the revenue stabilization reserve account maintained by the state treasurer in the fiscal year in which the savings occur. The can-do incentive program shall be administered by the commissioner of the department of administrative services. The commissioner of the department of administrative services shall decide who is eligible to receive awards under this program and the amount of such awards. The commissioner shall determine the amount of any monetary savings, net of projected lapses.

10 Repeal. The following are repealed, and the balance of the health care fund as of July 1, 2003 shall lapse to the general fund:

- I. RSA 167:69 through RSA 167:75, relative to health care fund.
- II. RSA 6:12, I(ttttt), relative to moneys deposited in the health care fund.
- III. 1997, 351:74, relative to medicaid revenues transferred to health care transition fund.

11 New Subdivisions; Department of Resources and Economic Development; Start-Up NH; Garage Grants. Amend RSA 12-A by inserting after section 49 the following new subdivisions:

Start-Up NH

12-A:50 Start-up NH; Grant Program Established. The start-up NH grants program is established to award grants to eligible New Hampshire students to start their own business in New Hampshire. In this subdivision, "program" means the start-up NH grants program.

I. The department of resources and economic development shall administer this program in cooperation with a screening committee. The funds appropriated for this program shall be expended for grants to eligible New Hampshire college students to start a bona fide new business located in New Hampshire.

II. Any individual eligible to receive a degree from any accredited postsecondary education institution in New Hampshire is qualified to submit a grant application under this program during the year they are eligible to receive such degree and up to a year after receipt of a degree from any accredited postsecondary institution in the state. No person shall be eligible for more than one grant under this program.

III.(a) The start-up NH screening committee shall consist of the following members:

(1) The director of the division of economic development, or designee, who shall serve as chair of the committee.

(2) The governor, or designee.

(3) A member of the senate, appointed by the president of the senate.

(4) A member of the house, appointed by the speaker of the house of representatives.

(5) The dean of Whittemore School of Business and Economics at the University of New Hampshire, or designee.

(6) Two owners of New Hampshire businesses created within the last 10 years, appointed by the governor.

(b) Committee members appointed under subparagraphs (a)(1) - (4) shall serve a term coterminous with their term in office. Committee members appointed under subparagraphs (a)(5) and (6) shall serve for a term of 2 years, or until a successor is appointed and qualified in the case of a vacancy. Committee members shall not be compensated.

IV. Funds appropriated to the program shall only be made available to eligible individuals as may be certified by the screening committee with the approval of the commissioner of the department of resources and economic development.

V. Grant applications shall be reviewed by the screening committee which shall recommend approval or disapproval of applications in writing to the commissioner of the department of resources and economic development.

VI. The commissioner of resources and economic development shall, with the advice of the screening committee, adopt the following:

(a) A written description of the program.

(b) Written procedures and criteria used to determine eligibility for grants under this section, including a requirement that the grants used solely for starting bona fide new businesses in the state.

(c) A written application, including the information required of applicants, including a requirement that all applicants submit a proposed business and implementation plan to the screening committee prior to receiving a grant under this program.

(d) Procedures for the administration of grants by recipients, including reporting requirements.

Garage Grants Program

12-A:51 Garage Grants Program Established. A program to be known as the garage grants program, is established to assist business incubators located in New Hampshire.

I. The department of resources and economic development shall administer grants to business incubators in cooperation with a program screening committee. The funds appropriated for this program shall be expended for grants to business incubators located in New Hampshire. Priority shall be given to business incubators that will be located in towns

and cities in New Hampshire where the median income level of the residents of the town or city falls below the statewide average.

II. In this section, “business incubator” means an enterprise that is set up to provide office or manufacturing space, equipment, and mentoring assistance and capital to new businesses. The purpose of a business incubator is to serve other new businesses. Employee leasing programs shall not qualify as business incubators under this program.

III. The garage grant screening committee shall consist of the following members:

(a) The director of the division of economic development, who shall serve as chair of the committee.

(b) The governor, or designee.

(c) A member of the senate, appointed by the president of the senate.

(d) A member of the house, appointed by the speaker of the house of representatives.

(e) Three owners of New Hampshire businesses with 50 or less employees, appointed by the governor.

IV. Committee members shall serve a term of 3 years from their date of appointment, except that legislative members and the director of the division of economic development shall serve terms coterminous with their terms in office. Committee members shall not be compensated.

V. Funds appropriated to the program shall only be made available to business incubators as may be certified by the screening committee with the approval of the commissioner of the department of resources and economic development.

VI. Grant applications shall be reviewed by the screening committee which shall recommend approval or disapproval of applications in writing to the commissioner of the department of resources and economic development.

VII. The commissioner of resources and economic development shall, with the advice of the screening committee, adopt the following:

(a) A written description of the program.

(b) Written procedures and criteria used to determine eligibility for grants under this section.

(c) A written application, including the information required of applicants.

(d) Procedures for the administration of grants by recipients including reporting requirements.

12 Rehiring of Laid Off State Employees.

I. For purposes of this section, “laid off” means any person who receives written notice of the state’s intent to lay him or her off or who has been laid off between January 1, 2003 and July 1, 2005, as a result of reorganization or downsizing of state government.

II. It is the intent of the general court that any position which becomes available in a department or establishment, as defined in RSA 9:1, shall be filled, if possible, by a state employee laid off, as defined in paragraph I, if such person is not currently employed by the state of New Hampshire and if he or she meets the minimum qualifications for the position.

III. Within 10 days of the effective date of this section, the head of each department or agency shall submit to the director of the division of personnel a list by name and classification of individuals laid off from January 1, 2003 as of the effective date of this section. Any additional layoffs or reductions shall be reported to the director of personnel as they occur.

IV. Any full-time state employee who was laid off as defined in this section, who before the layoff was receiving state-paid medical benefits under the provisions of RSA 21-I:26-36, who is not eligible to retire and receive post-retirement medical benefits under the provisions of RSA 21-I:26-36 or RSA 100-A:52-55, and who is not eligible for employer-paid medical or health care coverage under the plan of any other employer, or as the spouse of a person covered under the plan of any other employer, or under the state plan as the spouse of a state employee, shall continue to receive such state-paid benefits, as if continuing in active

employment, for a period not to exceed 6 months after the date of termination of state employment. For the first 3 months of this 6-month period, the state shall pay the full costs of continuing medical and health care coverage. For the latter 3 months of the 6-month period, the state shall pay ½ the cost and the laid-off state employee shall pay ½ the cost of continuing medical and health care coverage. This 6-month period shall be included in the calculation of the entitlements required under the Consolidated Omnibus Budget Reconciliation Act of 1986 and any amendments thereto.

13 Office of State Planning; Name Change; Office of State Planning and Program Management. Amend the chapter heading of RSA 4-C to read as follows:

CHAPTER 4-C

OFFICE OF STATE PLANNING **AND PROGRAM MANAGEMENT**

14 Reference Changes; Office of State Planning Renamed Office of State Planning and Program Management. Amend the following RSA provisions by replacing “office of state planning” with “office of state planning and program management”: RSA 4-C:2; 4-C:3; 4-C:4; 4-C:5; 4-C:6; 4-C:6-a; 4-C:7; 4-C:9; 4-C:9-a; 4-C:10; 4-C:19; 9-A:2; 9-A:4; 12-G:13; 12-K:2, V; 12-K:3; 12-K:6; 12-K:8; 12-K:9; 17-M:2; 21-O:5-a; 21-O:7; 36:45; 36:46; 36:47; 36-B:1; 78-A:25; 78-A:26; 125-G:2, VII; 125-G:3; 125-G:5; 125-G:16; 126-A:4; 147-B:4; 162-C:1; 162-H:3; 204-C:8; 227-G:2, XII; 227-M:4; 216-A:3-c; 216-F:5; 217-A:3; 227-C:4; 227-E:3; 227-E:6; 233-A:2; 235:23; 238:20; 238:23; 261:153; 270:65; 270:67; 270:68; 270:71; 374:22-j; 384-B:1; 432:19; 483:8; 483:10; 483:10-a; 483-A:6; 483-A:7; 483-B:4; 483-B:5; 483-B:12; 483-B:16; 483-B:19; 485-A:4; 485-C:3; 673:3-a; 674:3; 675:9.

15 Office of State Planning and Program Management; General Duties and Responsibilities. Amend RSA 4-C:1 to read as follows:

4-C:1 Establishment; General Duties and Responsibilities.

I. There is established the office of state planning **and program management** within the office of the governor. The office of state planning **and program management** shall be under the supervision and direction of the governor or his designee. The governor’s designee shall be known as the director of the office of state planning **and program management**.

II. The office of state planning **and program management** shall:

- (a) Plan for the orderly development of the state and the wise management of the state’s resources.
- (b) Compile, analyze, and disseminate data, information, and research services as necessary to advance the welfare of the state.
- (c) Encourage and assist planning, growth management and development activities of cities and towns and groups of cities and towns with the purpose of encouraging smart growth.
- (d) Encourage the coordination and correlation of state planning by agencies of state government.
- (e) Participate in interstate, regional, and national planning efforts.
- (f) Administer federal and state grant-in-aid programs assigned to the office by statute or executive order.
- (g) ~~[When requested by one or more towns under RSA 261:153, V, study the adequacy of the additional fee collected to pay fees for the collection and disposal of motor vehicle wastes. If the office deems it necessary, it shall submit proposed legislation to increase such fees to the speaker of the house, the president of the senate, and the governor.]~~
- (h) ~~Maintain a current list of contractors and facilities approved by the office for the collection and disposal of motor vehicle waste, for distribution to towns.~~
- (i) Participate and advise in matters of land use planning regarding lakes and rivers management programs.
- (j) ~~(h)~~ Take a leadership role in encouraging smart growth and preserving farmland, open space land, and traditional village centers.

(i) Administer the following programs: the coastal zone management program, the New Hampshire estuaries project, the saltmarsh restorability program, the southeast New Hampshire groundwater sustainability program, the statewide comprehensive outdoor recreation plan, the national flood insurance program, the land conservation investment program, and the scenic and cultural byways system. The office shall employ necessary personnel to administer these programs.

[(k)] **(j)** Perform such other duties as the governor may assign.

16 Office of State Planning; Responsibilities for Assistance; Reference Change from Office of State Planning to Office of State Planning and Program Management. Amend RSA 4-C:8 to read as follows:

4-C:8 Responsibilities for Assistance. The office of state planning **and program management** shall:

I. Provide technical assistance and, within the limits of biennial legislative appropriations, financial grants to regional planning commissions established under RSA 36:45-36:53 in support of:

(a) Planning assistance to local units of government.

(b) Preparation of regional plans.

(c) Contributions to and coordination with ~~[state-wide]~~ **statewide** planning and management activities, including the formulation and updating of the comprehensive state development plan prepared pursuant to RSA 4-C:2.

II. As requested and in cooperation with regional planning commissions, provide technical assistance and information in support of the planning and growth management efforts of local units of government, including training requested under RSA 673:3-a. The office shall encourage municipalities to first seek assistance from established regional planning commissions.

III. Provide computer interface capability among and between each regional planning commission, the office of state planning **and program management**, and state data collection and storage sources. The computer interface capability shall be used by regional planning commissions to respond to municipal requests for assistance in the preparation and amending of master plans and in the evaluation of municipal infrastructure needs. The computer interface capability shall also be used by regional planning commissions to develop and update regional master plans, as provided in RSA 36:47. The computer equipment used for the purposes of this paragraph shall be compatible and able to interface with the office of state ~~[planning's]~~ **planning and program management's** geographic information system, as well as with other similar state computerized data collection and storage sources.

IV. Provide technical assistance and information to municipalities with the cooperation of other state and regional planning agencies in the following areas:

(a) Use and application of geographic data available in the state's geographic information system (GIS) for local planning and growth management purposes.

(b) Recommending standard procedures for the establishment of accurate, large-scale base mapping to support municipal administrative functions such as tax assessment, public facility management and engineering.

17 New Subdivision; Office of State Planning and Program Management; E-ticket to Learning Matching Grants Program. Amend RSA 4-C by inserting after section 23 the following new subdivision:

E-Ticket to Learning Matching Grants Program

4-C:24 E-Ticket to Learning Matching Grants Program.

I. The e-ticket to learning matching grants program is established to provide matching grants to public schools serving grades 1-12 to implement new distance or e-learning programs. The general court recognizes that distance learning initiatives through the use of technology can provide communities with greater access to a wider range of

curricula, assist students with special needs who may be unable to attend traditional classrooms, and enhance students' learning performance. This program shall be administered by the office of state planning and program management.

II. A grant screening committee shall be formed consisting of the following members:

- (a) A member of the office of state planning and program management, appointed by the governor.
- (b) The chair of the board of education, or designee.
- (c) A New Hampshire educator, appointed by the governor.
- (d) The chair of the education committee of the house of representatives, or designee.

(e) The chair of the education committee of the senate, or designee.

III. The terms of the screening committee members shall be coterminous with the term of the governor. Members shall not be compensated.

IV. The screening committee shall determine:

- (a) A description of the program.
- (b) The procedures and criteria used to evaluate grant applications under this section.
- (c) The application process, including information required of applicants.
- (d) Procedures for the administration of grants by recipients including reporting requirements.

V. The screening committee shall decide which applications are eligible for grants under this program.

VI. Educational institutions which are eligible for grants under this program shall match funds provided by the state, through public or private contributions, in order to receive such money. The total amount of matching funds shall not exceed any amount provided by the state during each fiscal year. Such matching funds shall be provided in addition to any other sums provided by the state.

18 New Chapter; Governor's Office of Information Technology. Amend RSA by inserting after chapter 4-C the following new chapter:

CHAPTER 4-D

OFFICE OF INFORMATION TECHNOLOGY

4-D:1 Office of Information Technology Established; General Duties and Responsibilities

I. There is established the office of information technology within the office of the governor. The office of information technology shall be under the supervision of the chief information officer. The chief information officer shall be appointed by the governor and shall be a non-classified employee.

II. The office of information technology, through its officials, shall be responsible for managing and coordinating all technology resources in the executive branch of government, developing and implementing strategies to enhance state customer service, and creating statewide efficiencies through the use of information and other technologies.

4-D:2 Functions. The office of information technology shall be responsible for the following:

I. Providing technical information technology consultation to all executive branch agencies and to any other agency that requests it, including technical advice during the development or acquisition of information systems.

II. Monitoring technological trends and informing all state employees and officials about state-of-the-art information systems and management techniques.

III. Developing a formal information technology planning process for approving agency information technology plans.

IV. Preparing and maintaining a statewide information technology plan based upon agency data processing plans.

V. Reviewing, assessing, and approving the feasibility of agency plans, including cost estimates and impacts on other agencies and political subdivisions of the state.

VI. Developing standards and processes for collaborative stakeholder involvement to assure that hardware, software, and telecommunications systems acquired or developed by the state are as compatible among themselves and with other systems of the state and political subdivisions as are necessary and practical.

VII. Providing training and educational programs to technicians and managers.

VIII. Monitoring and reporting to the governor and legislature on the effectiveness of the use of information technology resources and on statewide progress in implementing technology plans.

IX. Coordinating information technology development efforts that affect multiple agencies or other levels of government.

X. Assigning to the various data centers throughout the state the data processing operations service responsibilities for all executive branch agencies.

XI. Developing in concert with the commissioner of administrative services and the budget director the capital and operating budget requests for implementing each agency's information technology plan, including, but not limited to, appropriate standards for the uniform presentation of the general budget requests.

XII. Developing in concert with the director of plant and property management specifications for the procurement of computer equipment and software.

4-D:3 Special Duties. In addition to the powers, duties, and functions otherwise vested in the chief information officer under this chapter, the chief information officer shall:

I. Develop and implement, with the advice of the information technology council, a long-range information technology plan for the state of New Hampshire.

II. Report to the governor and to the speaker of the house of representatives, the president of the senate, and the house and senate executive departments and administration committees on January 1 of each year as to the progress made in implementing the state information technology plan.

4-D:4 Information Technology Council.

I. There is hereby established the information technology council. The council shall advise the chief information officer on the following:

- (a) Statewide strategic technology plans.
- (b) Outsourcing relationships, including the purchase of technology equipment and contracts with technology vendors.
- (c) Computer systems consolidation.
- (d) Implementation of centralized services.
- (e) Information technology resource changes, including changes in quantity of resources allocated to executive branch agencies, location of information technology resources and allocation of information technology personnel.

(f) Statewide information technology policies and standards.

(g) Information technology budgeting and resource allocation.

II. The information technology council shall consist of the following members:

- (a) The chief information officer, who shall serve as chairperson of the council.
- (b) The commissioner of administrative services, or designee.
- (c) The commissioner of transportation, or designee.
- (d) The commissioner of health and human services, or designee.
- (e) The commissioner of safety, or designee.
- (f) Two heads of departments, appointed by the governor.
- (g) One state senator, appointed by the senate president for the duration of his or her legislative term.
- (h) One state representative, appointed by the speaker of the house of representatives for the duration of his or her legislative term.
- (i) One representative of municipal government, nominated by the New Hampshire Municipal Association and appointed by the governor for a 3-year term.

(j) One representative of county government, nominated by the New Hampshire Association of Counties and appointed by the governor for a 3-year term.

III. Six members of the council shall constitute a quorum.

4-D:5 Technical Committees. The chief information officer may establish technical committees to advise him or her on technical issues. Each technical committee shall include personnel from all 3 branches of government who are expert in the specific issue that is the focus of the committee. These issues may include but are not limited to:

- I. Hardware, software, and telecommunications standards.
- II. Information technology planning process.
- III. Development of statewide policies and procedures.
- IV. Emerging Internet and “intranet”, or limited network, technologies.
- V. E-government strategy and deployment.
- VI. Wide Area Network efficiencies.

4-D:6 Rulemaking Authority. The chief information officer shall adopt rules under RSA 541-A establishing a formal information technology planning process for approving agency information technology plans.

4-D:7 Legislative Oversight Committee.

I. There is hereby established a joint legislative information technology oversight committee.

II. The committee shall consist of 6 members, 3 of whom shall be members of the house of representatives, appointed by the speaker of the house, and 3 of whom shall be senators, appointed by the president of the senate. Members shall be appointed for their term of office. All members shall be eligible for reappointment so long as they are qualified under this section. Members shall be appointed no later than December 30 of the year of their election to the general court, except that vacancies shall be filled for an unexpired term within 30 days of the creation of such vacancy, and the initial appointments under this section shall be made within 30 days of the effective date of this section. The members shall choose from their number a chairperson, provided that the chair shall rotate biennially between the house and senate members.

III. The chief information officer shall report to the committee on the activities of his or her office, including but not limited to the implementation of the state information technology plan, the proposed transfer of information technology employees among state agencies and any proposed expenditures related to information technology equipment. Such reports shall be conducted as required by the committee.

IV. Members of the committee shall serve without compensation but shall receive mileage at the legislative rate when attending to the duties of the committee.

19 Transfer of Personnel from Division of Information Technology Management to Office of Information Technology.

I. The director of information technology management and the personnel under his or her supervision in the department of administrative services immediately prior to the effective date of this act may be transferred to the office of information technology, together with all of the books, payroll, records, equipment, unexpended appropriations, or other available funds in any amount or subdivision of any account authorized or for use by the division of information technology management. Any such transfer shall occur only with the prior approval of the joint legislative fiscal committee.

II. Information technology employees of the executive branch may, notwithstanding any law to the contrary, be transferred to the office of information technology and report to the chief information officer. Any such transfer shall occur only with the prior approval of the joint legislative fiscal committee. The office of information technology shall manage and direct such employees in order to carry out the goals of RSA 4-D:2. Only those employees specifically designated by the chief information officer and approved by the fiscal committee shall be physically moved.

III. All agency heads and other state officials shall fully cooperate with the chief information officer in such manner as is designed to carry out the purposes of this section.

IV. Any state employee laid off as a result of budgetary reductions shall be allowed upon return to state service to utilize prior service for purposes of being eligible for retiree health insurance.

20 Repeal. The following are repealed:

I. RSA 21-I:66-68, relative to relative to the establishment, functions, and director of the division of information technology management.

II. RSA 21-I:69-72, relative to the special duties, rulemaking, advisory board, and technical committees of the division of information technology management.

21 Contingency. Paragraph I of section 20 of this act shall be effective upon the transfer, as provided in section 19, of all division of information technology management employees, materials, and equipment to the office of information technology or to another division within the department of administrative services, as certified by the commissioner of administrative services to the joint legislative fiscal committee and the director of legislative services.

22 Department of Administrative Services; Division of Plant and Property Management. Amend RSA 21-I:11, XI and XII to read as follows:

XI. Requiring, prior to an agency's submission of a request for proposal for state data processing equipment, software, or services exceeding [~~\$5,000~~] **\$500** in total cost, that the agency obtain approval of the proposal by the [~~director of the office of information technology~~] **chief information officer** to ensure that the procurement is consistent with the state information technology plan.

XII. Requiring agencies to submit the approval from the [~~director of the office of information technology~~] **chief information officer** in support of requests for purchases of information technology equipment or software in excess of [~~\$5,000~~] **\$500**.

23 Information Technology Plan; Reference to Chief Information Officer. Amend RSA 9:4-b to read as follows:

9:4-b Information Technology Plan. Each executive department shall prepare an information technology plan in accordance with the information technology planning process developed by the [~~director of the division of information technology management~~] **chief information officer in consultation with the information technology council**. The portion of each plan which addresses the upcoming biennium shall define the capital and operating budgets necessary for implementing the plan. The budget data in the information technology plan shall provide for both new information technology initiatives and existing operations and shall be consistent with the budget data submitted under RSA 9:4 and 9:4-a. In the case of the failure of any executive department to submit an information technology plan, the [~~director of information technology management~~] **chief information officer** shall cause a plan to be prepared as in his **or her** opinion is reasonable and proper. Each information technology plan shall identify a process for collaborative involvement of stakeholders representing other levels of government within the state in the development, design, and deployment of information technology systems that involve or impact such other political subdivisions of the state.

24 State Library; "Webster" Advisory Board; Duty to Advise Chief Information Officer. Amend RSA 201-A:27, I-IV to read as follows:

I. There is hereby established a board to advise the state librarian **and chief information officer** and to study the future direction of "Webster," the state of New Hampshire's automated information system Internet site.

II. The members of the board shall be as follows:

(a) One house member, appointed by the speaker of the house.

(b) One senator, appointed by the senate president.

(c) One member representing the judicial branch, appointed by the chief justice of the supreme court.

(d) The state librarian, or designee.

(e) ~~[The director of information technology management, or designee]~~ ***The chief information officer, or designee.***

(f) The state archivist, or designee.

(g) One member representing the governor's office, appointed by the governor.

(h) One public member, appointed by the governor, who shall be an end user of the information available on Webster.

(i) One representative of municipal government, recommended by the New Hampshire Municipal Association and appointed by the governor.

III. The terms of the members appointed pursuant to subparagraphs II(c), (g), ~~[and]~~ (h), ***and (i)*** shall be 3 years; the terms of all other members shall be coterminous with their terms in office. In the event of a vacancy, a new member shall be appointed for the unexpired term in the same manner as the original appointment.

IV. Members of the board shall serve without compensation. Members of the legislature shall receive mileage at the legislative rate when attending to the duties of the commission.

V. The board shall advise the state librarian ~~[on matters pertaining to the state's web site known as Webster, examine models from other states, coordinate]~~ ***and the chief information officer on matters under their jurisdiction. The state librarian shall be responsible for matters pertaining to public access to state government information and resources and the coordination of Internet information content activities on an interagency basis. [and recommend standards to the state librarian] The chief information officer shall be responsible for the functioning and maintenance of the state Internet site, including the purchase and use of equipment and establishing standards for electronic publications and other electronic information dissemination issues. Notwithstanding any other provision of this section, the legislature shall oversee the content, functioning, and maintenance of all legislative websites and the judicial branch shall oversee the content, functioning, and maintenance of all judicial branch websites.***

25 Environmental Services Revolving Fund Lapse. The commissioner of the department of environmental services is hereby directed to lapse to the general fund the total sum of \$221,000 from the lab equipment revolving fund, 010-044-1410-003 on June 30, 2003.

26 New Subdivision; Department of Resources and Economic Development; Community Development Block Grant Program. Amend RSA 12-A by inserting after section 49 the following new subdivision:

Community Development Block Grant Program

12-A:50 Definitions. In this subdivision:

I. "Department" means the New Hampshire department of resources and economic development.

II. "Chief executive officer" means the chief executive of the municipality, whether the official designation is mayor, city manager, chairman of the board of selectmen, or otherwise.

III. "Commissioner" means the commissioner of the department of resources and economic development.

IV. "Committee" means the community development advisory committee.

V. "Entitlement municipality" means a municipality entitled to receive funds directly from the United States Department of Housing and Urban Development under Title I, section 106(b) of the federal act.

VI. "Federal act" means Title I of the Housing and Community Act of 1974, as amended, 42 U.S.C. section 5301 et seq.

VII. "Governing body" means, in the case of a city, the city council or the board of aldermen or, in the case of a town, the board of selectmen or the town council.

VIII. "Grantee" means a municipality that receives a grant under the provisions of this subdivision.

IX. "Municipality" means a city or a town. It also means a "non-entitlement area" as defined in Title I, section 102(a)(7) of the federal act.

12-A: 51 Program Goals.

I. In allocating funds under the community development block grant program, the department shall give priority to activities that:

- (a) Benefit low and moderate income households.
- (b) Aid in the prevention or elimination of slum or blight.
- (c) Aid in the prevention or elimination of conditions which pose a serious or immediate threat to the health and welfare of the community where no other financial resources exist to meet such needs.

II. Funds for housing and public facilities shall not be less than 50 percent of the total funds available for grants in any given year.

12-A:52 Eligible Activities. A wide range of community development activities shall be eligible for funding. These may include, but are not limited to:

- I. The acquisition, rehabilitation, or expansion of housing.
- II. The creation, expansion, or retention of employment through the stimulation of private investment and community revitalization.
- III. The installation, rehabilitation, or replacement of public facilities.
- IV. Activities that test the feasibility of innovative approaches to community development.
- V. Activities that provide timely responses to unpredictable circumstances or special development opportunities.

12-A:53 Grant of Powers to Municipalities.

I. All municipalities not designated as entitlement municipalities under the federal act are authorized to apply with the department for funds and are granted such additional authority and power, essential and incidental, as may be necessary for the administration of this program.

II. Prior to filing an application under this subdivision, a municipality shall:

(a) Through action by the governing body adopt or pass an official act or resolution authorizing the filing of the application and directing the chief executive officer or designee to act in connection with the application and to provide such information as may be required.

(b) Hold at least one public hearing to obtain the views of citizens on community development, to furnish the citizens with information concerning the amount of funds available and the range of community development activities that may be undertaken under this subdivision and to give affected citizens an opportunity to examine a proposed statement to the projected use of such funds to be applied for. A notice of the hearing shall specify the grounds for the hearing as well as the date, time, and place. This notice of the hearing shall be published in a newspaper of general circulation in the municipality, and a legal notice shall also be posted in at least 3 public places within such municipality at least 10 days prior to the hearing. The 10 days shall not include the day of publication or the day of posting, whichever is later, nor the day of the hearing, but shall include any Saturdays, Sundays, and legal holidays within the period. This hearing shall be held before the municipality's governing body takes any final action regarding the filing of the application.

III. The chief executive officer shall certify that the municipality will comply with the provisions of this subdivision and with other applicable federal and state laws and rules as may be determined by the department and the federal government.

12-A:54 The New Hampshire Community Development Advisory Committee.

I. There is established the community development advisory committee which shall be provided staff and administrative assistance by the department.

II. The committee shall consist of 9 voting members as follows:

(a) The director of the division of economic development, department of resources and economic development, or designee, who shall serve as chairperson of the committee.

(b) The director of the office of state planning and program management, or designee.

(c) The executive director of the New Hampshire housing finance authority, or designee.

(d) Six public members, at least 3 of whom shall be municipal officials, who shall be appointed by and serve at the pleasure of the governor.

III. The 6 public members shall be paid their actual expenses incurred in performing their duties under this subdivision and shall be paid mileage at the same rate as state employees.

IV. A majority of the members of the committee shall constitute a quorum.

V. No person who receives a significant portion of his or her income directly or indirectly from the community development activities governed by this subdivision shall be a member of the committee.

VI. The committee shall advise the commissioner in the development of rules for administering this subdivision and developing criteria for the allocation of funds provided under the federal act.

12-A:55 Duties of the Commissioner.

I. The commissioner, with the consent of the committee and with the approval of the governor, shall:

(a) Adopt rules, pursuant to RSA 541-A, relative to:

(1) The application process.

(2) Criteria and procedures for evaluating applications submitted by eligible municipalities.

(3) Procedures for the administration of program activities and funds by grantees.

(4) Procedures for monitoring grantees and for hearings.

(b) Make final awards of grants and enter into contractual relationships with grantees for administering funds.

II. The commissioner shall provide advice and assistance to municipalities in dealing with community development concerns and problems.

III. The commissioner is authorized to accept federal funds to administer the small cities community development block grant program in accordance with the provisions of this subdivision.

12-A:56 Procedures for Administration.

I. All funds allocated to the state under the federal act, except for an amount not exceeding the maximum allowable under the federal act available to the state for administrative costs, shall be allocated to eligible municipalities.

II. All municipalities shall be eligible to apply for and receive funds under this subdivision except for entitlement municipalities.

III. The allocation system shall be competitive and shall provide the opportunity for any eligible municipality to compete for funding for community development projects.

IV. The department shall solicit applications from eligible municipalities. Any eligible municipality desiring to receive funds under this subdivision shall complete and submit an application in accordance with the rules adopted under RSA 4-C:16, I(a).

V. The commissioner shall evaluate the relative merits of the applications based on the rules, criteria, and procedures adopted under RSA 4-C:16.

12-A:57 Remedies for Noncompliance.

I. If the commissioner finds, after reasonable notice and opportunity for hearing, that a grantee under this subdivision has failed to comply substantially with the provisions of this subdivision, the rules adopted under this subdivision, or applicable provisions of federal law, the commissioner, until he or she is satisfied that there is no longer any such failure to comply, may:

(a) Terminate payments to the grantee under this subdivision; or

(b) Limit the availability of payments under this subdivision under such conditions as he or she may establish.

II. In lieu of, or in addition to, any action authorized in paragraph I, the commissioner may refer the matter to the attorney general of the state of New Hampshire with a recommendation that an appropriate civil action be instituted.

27 Applicability of Rules Relative to the Community Block Grant Program. The rules established under RSA 4-C:16 shall continue in force and effect under the community development block grant program administered by the department of resources and economic development and shall expire on the date scheduled for expiration prior to the adoption of this act.

28 Repeal. RSA 4-C:11-18, relative to the community block grant program, is repealed.

29 Supreme Court Costs; Entry Fees. Amend RSA 490:24 to read as follows:

490:24 Entry Fees.

I. For the benefit of the general fund of the state, there shall be paid to the clerk for the entry of every reserved case, bill of exceptions, petition, appeal, or other action, for the filing of every motion or other document supplementary to the entered case, and for any service rendered by the clerk, such fees as shall from time to time be established by the court.

II. The sum of \$20 shall be added to each case entry fee and fee for a motion to bring forward collected in the supreme, superior, district, family and probate courts, and these sums shall be deposited in the general fund.

30 Autopsy Expenses. RSA 611:17 is repealed and reenacted to read as follows:

611:17 Autopsy Expenses. Autopsy expenses shall be morgue costs, microscopic processes, toxicology, transport, and x-ray costs. All claims for autopsy expenses shall be submitted to the office of the chief medical examiner, which shall authorize such claims and submit them for payment as follows:

I. For autopsies ordered by the county attorney, such claims shall be approved by the county attorney and submitted for payment to the county treasurer.

II. For autopsies ordered by the attorney general or the chief medical examiner, such claims shall be submitted for payment to the state treasurer, chargeable to the account of the chief medical examiner's office.

III. For autopsies made at the request of the commissioner of the department of health and human services and conducted in the presence of the medical examiner or designee, such claims shall be submitted for payment to the department of health and human services.

31 Repeal. The following are repealed:

I. RSA 611:7-a, relative to payment of autopsy costs by the department of health and human services.

II. RSA 611-A:9, relative to county liability for expenses of autopsies.

32 Enhanced 911 System; Funding; Transfers from Enhanced 911 System Fund. Amend RSA 106-H:9 to read as follows:

106-H:9 Funding; Fund Established.

I. The enhanced 911 system shall be funded through a surcharge to be levied upon each residence and business telephone exchange line, including PBX trunks and Centrex lines, each individual commercial mobile radio service number, and each semi-public and public coin and public access line. No such surcharge shall be imposed upon more than 25 business telephone exchange lines, including PBX trunks and Centrex lines, or more than 25 commercial mobile radio service exchange lines per customer billing account. In the case of local exchange telephone companies, the surcharge shall be contained within tariffs or rate schedules filed with the public utilities commission and shall be billed on a monthly basis by each local exchange telephone company. In the case of an entity which provides commercial mobile radio service the surcharge shall be billed to each customer on a monthly basis and shall not be subject to any state or local tax; the surcharge shall be collected by the

commercial mobile radio service provider, and may be identified on the customer's bill. Each local exchange telephone company or entity which provides commercial mobile radio service shall remit the surcharge amounts on a monthly basis to the enhanced 911 services bureau, which shall be forwarded to the state treasurer for deposit in the enhanced 911 system fund. Such fund ~~[shall be continually appropriated to the bureau and]~~ shall not lapse. The moneys in the account shall not be used for any purpose other than the development and operation of enhanced 911 services, in accordance with the terms of this chapter. Surcharge amounts shall be reviewed after the budget has been approved or modified, and if appropriate, new tariffs or rate schedules shall be filed with the public utilities commission reflecting the surcharge amount.

II. Imposition of the enhanced 911 services surcharge shall begin not later than 4 months from the approval of the budget, in order to provide adequate funding for the development of the enhanced 911 data base and other operations necessary to the development of the enhanced 911 system.

III. If the expenditure of additional funds over budget estimates is necessary for the proper functioning of the enhanced 911 system, the bureau may request, with prior approval of the fiscal committee of the general court, the transfer of funds from the enhanced 911 system fund to the bureau for such purposes.

33 Department of State; Office Fees; Fees for Apostilles, For Certificates for Notaries and Justices of the Peace, and For Expedited Service Added. Amend RSA 5:10 to read as follows:

5:10 Office Fees. Except as otherwise provided, the following fees shall be paid to the secretary of state for the use of the state: For every commission issued to a justice of the peace or to a notary public, \$50; for every certificate pertaining to the existence of a corporation, trade name, or other business entity, or writ served on the same, \$5; for every such certificate in long form, \$10; ***for every apostille provided under the Hague Convention of 1961 and for every certificate for a notary public or justice of the peace, \$10;*** for every other certificate under seal of the state, \$5; for engrossing private acts, \$1 for each page of 240 words; ***for expedited service of every 10 documents or any part thereof, \$25.***

34 Solemnization of Marriage; Increase in Fee for Special Commission to Perform Marriage. Amend RSA 457:32 to read as follows:

457:32 Special Commission. The secretary of state may issue a special license to an ordained or non-ordained minister residing out of the state, or to an individual residing out of state who is authorized or licensed by law to perform marriages in such individual's state of residence, authorizing him or her in a special case to marry a couple within the state. In the case of an individual residing out of state who is authorized or licensed by law to perform marriages in such individual's state of residence, the secretary of state may require the submission of a copy of a valid commission or other indicia of authority to marry in the individual's state of residence as proof of existence of that authority. The names and residences of the couple proposed to be married in such special case shall be stated in the license, and no power shall be conferred to marry any other parties than those named therein. The fee for such license shall be ~~[\$5]~~ ***\$25.*** The secretary of state shall keep a permanent record of all such special licenses, which record shall contain the names and residences of the couple to be married and the name and residence of the minister to whom the license is issued.

35 Transfer of Funds from Secretary of State to Election Fund. Notwithstanding any other provision of law, for the biennium ending June 30, 2005, the first \$75,000 collected in each fiscal year by the secretary of state pursuant to RSA 5:10 shall be deposited into the election fund established in RSA 5:6-d.

36 Transfer of Funds from Secretary of State to Election Fund. Notwithstanding any other provision of law, for the biennium ending June 30, 2005, the first \$10,000 collected in

each fiscal year by the secretary of state pursuant to RSA 457:32 shall be deposited into the election fund established in RSA 5:6-d.

37 Investor Education Fund Credited to General Fund. Notwithstanding RSA 421-B:21, II-c and RSA 421-B:26, IV, funds in the investor education fund in excess of \$653,500 at the end of the fiscal year ending June 30, 2004 shall be credited to the general fund.

38 Contingency. If HB 577-FN-A-LOCAL of the 2003 regular session becomes law, then sections 35 and 36 of this act shall take effect July 1, 2003. If HB 557-FN-A-LOCAL of the 2003 regular session does not become law, then sections 35 and 36 of this act shall not take effect.

39 Special Education; State Aid; Transfer to General Fund. Notwithstanding RSA 186-C:18, \$2,000,000 of unexpended funds appropriated under RSA 186-C:18 for the biennium ending June 30, 2003, shall be transferred to the general fund for the biennium ending June 30, 2005.

40 Department of Administrative Services; Purchases; Exemption for Regional Community-Technical Colleges. Amend RSA 21-I:18, I-a to read as follows:

I-a. The New Hampshire regional community-technical colleges shall not be required to make purchases through the director of plant and property management ***or utilize the services of the bureau of graphic services*** unless it so chooses. The regional community-technical colleges shall make purchases under competitive bidding requirements except when waived by the commissioner of the regional community-technical colleges, or a designated agent, upon written justification.

41 Transfers Among Accounts; Department of Health and Human Services. Notwithstanding the provisions of RSA 9:17-a or any other provision of law to the contrary and subject to the approval of the fiscal committee of the general court and governor and council, for the biennium ending June 30, 2005 the commissioner of the department of health and human services is hereby authorized to transfer funds within and among all PAUs within the department, as the commissioner deems necessary and appropriate to address present or projected budget deficits, or to respond to changes in federal laws, regulations, or programs, and otherwise as necessary for the efficient management of the department.

42 Health Insurance Portability and Accountability Act; Nonlapsing Funds; Department of Health and Human Services. Notwithstanding any provision of law to the contrary, the appropriations made by 2001, 130 or subsequently accepted and allocated to 05, 01, 03, 01, office of information systems management systems, class 031, computer enhancement-HIPAA, shall not lapse until June 30, 2005.

43 Residential Care and Health Facility Licensing; Reinspection Fee. Amend RSA 151:4, V to read as follows:

V. The department of health and human services shall not accept or process the license application of a facility operating under suspension or revocation of a license until any violation of this chapter or of rules adopted thereunder has been corrected and the facility has paid to the department a reinspection fee equal to the annual license fee established ~~in~~ ***pursuant to*** RSA 151:5.

44 Residential Care and Health Facility Licensing; Licenses. Amend RSA 151:5 to read as follows:

151:5 Licenses.

I. Licenses issued hereunder shall expire one year after the date of issuance, or upon such uniform dates annually, as the department of health and human services shall prescribe by rule. Licenses shall be issued only for the premises and persons named in the application, and shall not be transferable or assignable. Licenses shall be posted in a conspicuous place on the licensed premises. Fees for an annual license shall be:

- ~~(a) Facilities with inpatient beds; \$2.50 per bed per year.~~
- ~~(b) Laboratories; \$65 per year for each category of testing licensed.~~
- ~~(c) Facilities without inpatient beds; \$50 per year.~~
- ~~(d) Home health care providers; \$20.00 per year.~~

~~II. "Inpatient bed" in this section means a bed held out for continuous overnight occupancy]~~ **set by rules adopted by the commissioner of the department of health and human services pursuant to RSA 541-A.**

45 Residential Care and Health Facility Licensing; Rules. Amend RSA 151:9, I(d) to read as follows:

(d) License **fees and** expiration dates under RSA 151:5.

46 Longevity Payment Authorized; Department of Health and Human Services. Notwithstanding any provision of law to the contrary, a longevity payment is hereby authorized in the amount of \$4,400 for position 9U392, executive assistant to the commissioner for years 1988 through 2001. Funding for the longevity payment shall be from appropriations made to the department of health and human services in the 2004-2005 operating budget (HB 1-A) for positions that are not filled.

47 New Section; Business Enterprise Tax; Credit; Residential Care and Health Facilities. Amend RSA 77-E by inserting after section 13 the following new section:

77-E:13-a Credit; Residential Care and Health Facilities. Business enterprises and other organizations licensed pursuant to RSA 151:2, I(e) shall be allowed a credit against the taxes due under this chapter. The credit shall be limited to the amount of any state assessment, except taxes, including any interest, additions, or penalties, collected pursuant to RSA 77-A or this chapter, paid by such business enterprise or organization which is not otherwise reimbursed or refunded from any other source whether local, state, or federal. In the event that the business enterprise or other organization does not have a business enterprise tax liability for the year in which credit is claimed, a refund of such otherwise non-reimbursed or non-refunded state assessment may be issued to such enterprise or organization.

48 Recognizing Out-of-State Registration of Radiation Machines. Amend RSA 125-F:7 to read as follows:

125-F:7 Licensing and Registration of Sources of Radiation.

I. When adopting rules under RSA 541-A, the department, through its program, shall provide for general or specific licensing of naturally occurring, artificially produced, byproduct, source, and special nuclear materials or devices or equipment utilizing such material. The rules shall provide for amendment, suspension, and revocation of licenses.

II. The department, through its program, may require registration of other sources of radiation.

III. The department, through its program, is authorized to exempt certain sources of radiation or kinds of uses or users from the licensing or registration requirements of this section, provided they shall be specifically named in a schedule of such exempt uses, users, or sources of radiation within the context of rules adopted under RSA 541-A.

IV. The rules may provide for recognition of other state or federal licenses **and radiation machine registration** as the program may deem desirable, subject to such registration requirements, **including the payment of such fees**, as the department, through its program, may establish.

49 Recognizing Out-of-State Registration of Radiation Machines. Amend RSA 125-F:8 to read as follows:

125-F:8 Radiation User and Laboratory Fees.

I. The department, through its program, shall prescribe and collect such fees as may be established by rule for radiation protection services provided under this chapter. Services for which fees may be established include:

(a) Registration of radiation equipment and other sources of radiation;

(b) Issuance, amendment, and renewal of **general or** specific licenses for radioactive materials **as well as the recognition of other state and federal licenses and radiation machine registrations in accordance with RSA 125-F:7, IV;**

(c) Inspections of registrants or licensees;

(d) Environmental surveillance activities to assess the radiological impact of activities conducted by licensees;

(e) Evaluation of products to be distributed to persons generally licensed or persons exempt from licensing; and

(f) Laboratory radiochemical sample analyses.

(g) Radiological response and radiation safety assessments.

II. When a registrant or licensee fails to pay the applicable fee, the program may suspend or revoke the registration or license or may issue an appropriate order.

III. Except as provided in paragraph IV, all fees collected under this section shall be forwarded to the state treasurer to be deposited in the general fund.

IV. Any increase in fees after the effective date of this paragraph and collected under this section shall be deposited in the radiation user and laboratory fees fund established in RSA 125-F:8-b and shall be used solely for the administration of the department's responsibilities under this chapter.

V. Application fees collected under this provision shall not be refundable.

50 Department of Health and Human Services; Audit of Medicaid Program. The commissioner of the department of health and human services shall, prior to November 1, 2003, conduct an audit of the medicaid health program, including health services and prescription and generic drugs, in order to ascertain compliance with RSA 126-A:3, III. The audit shall be submitted to the fiscal committee of the general court on or before November 1, 2003.

51 New Section; State Employee Health Insurance; Self-Insured Plans. Amend RSA 21-I by inserting after section 21-I:30-c the following new section:

21-I:30-d State Employee Health Insurance; Self-Insured Plan Required.

Notwithstanding any provision of law to the contrary, the commissioner of administrative services shall implement a self-insured health plan for all state employees and their families and retired state employees and their spouses.

52 New Paragraph; Department of Administrative Services; Rulemaking; Self-Insured Health Plan. Amend RSA 21-I:14 by inserting after paragraph XIII the following new paragraph:

XIII-a. Management of the state employee self-insured health plan under RSA 21-I:30-d.

53 Transfer from Revenue Stabilization Reserve Account. Notwithstanding RSA 9:13-e, in the event of a general fund operating budget deficit at the close of fiscal year 2003 as determined by the official audit performed pursuant to RSA 21-I:8, I(h), the comptroller shall notify the fiscal committee and the governor of such deficit and request that sufficient funds, to the extent available, be transferred from the revenue stabilization reserve account to eliminate such deficit.

54 The Liquor Commission; Revenue. Notwithstanding RSA 176:16, II, for the biennium ending June 30, 2005, all gross revenue derived by the liquor commission from the sale of liquor, or from license fees, shall be deposited into the general funds of the state.

55 Tobacco Use Prevention Funds Deposited in General Fund. Notwithstanding RSA 126-K:15, for the biennium ending June 30, 2005, \$3,000,000 of the tobacco settlement funds received by the state of New Hampshire shall not be deposited in the tobacco use prevention fund. In addition, notwithstanding any other provision of law, the balance of the tobacco use prevention fund as of June 30, 2003, shall lapse to the general fund.

56 Effective Date.

I. Sections 25, 53, and 55 of this act shall take effect June 30, 2003.

II. Paragraph I of section 20 of this act shall take effect as provided in section 21 of this act.

III. Sections 35 and 36 of this act shall take effect as provided in section 38 of this act.

IV. Section 50 of this act shall take effect upon its passage.

V. Sections 51 and 52 of this act shall take effect July 1, 2004.

VI. The remainder of this act shall take effect July 1, 2003.

AMENDED ANALYSIS

This bill:

I. Limits the ability of the department of health and human services to change program eligibility standards and rates in the biennium ending June 30, 2005.

II. Amends the criteria for rules adopted by the department of health and human services relative to earned income and eligibility for aid to the permanently and totally disabled.

III. Provides that the commissioner of the department of health and human services may implement a preferred drug list program with fiscal committee approval.

IV. Provides that the governor may choose not to take a salary and may designate the money for employee incentives.

V. Establishes the nurses stat program to provide scholarship assistance to nursing students who will serve in New Hampshire and to provide grants to the regional community-technical colleges.

VI. Establishes the can-do incentive program, a state employee efficiency and cost-savings program administered by the department of administrative services.

VII. Repeals the health care transition fund and lapses the remainder of the fund to the general fund.

VIII. Establishes the start-up NH grants program to award grants to New Hampshire college students to start a new business in New Hampshire.

IX. Establishes the garage grants program to assist in the formation of business incubators in New Hampshire with priority to be given to incubators which will be located in towns or cities in the state where the median income level of residents falls below the statewide average.

X. Provides that qualified, state employees laid off between January 1, 2003 and July 1, 2005 shall be given hiring priority for open positions in state government.

XI. Changes the name of the office of state planning to the office of state planning and program management.

XII. Establishes the e-ticket to learning matching grants program to provide matching grants to public schools to implement new distance or e-learning programs.

XIII. Establishes the governor's office of information technology, under the direction of a chief information officer, and transfers the functions of the division of information technology management to the office of information technology.

XIV. Provides that the chief information officer shall oversee state information technology plans.

XV. Amends the "Webster" advisory board to include the role of the chief information officer and adds a representative of municipal government to the board.

XVI. Provides that a portion of the department of environmental services' lab equipment revolving fund shall lapse to the general fund.

XVII. Transfers the community development block grant program from the office of state planning to the department of resources and economic development.

XVIII. Adds \$20 to certain court filing fees.

XIX. Changes the procedures for payment of autopsy expenses by the state and by counties.

XX. Requires that the joint legislative fiscal committee approve transfers from the enhanced 911 system fund that are above original budget estimates for the enhanced 911 system.

XXI. Amends fees charged by the secretary of state.

XXII. Transfers certain funds collected by the secretary of state to the election fund for the biennium ending June 30, 2005, contingent on the passage of HB 577-FN-A-LOCAL, which establishes the election fund.

XXIII. Provides that funds in the investor education fund excess of \$653,500 at the end of fiscal year 2004 shall be credited to the general fund.

XXIV. Provides that, for the biennium ending June 30, 2005, \$2,000,000 of unexpended catastrophic special education aid shall not be distributed for court-ordered placements but shall be transferred to the general fund.

XXV. Provides that the regional community-technical colleges shall not be required to utilize the services of the bureau of graphic services unless they choose to do so.

XXVI. Authorizes the department of health and human services to transfer funds within and among all PAUs within the department for certain purposes, subject to approval of the fiscal committee and governor and council.

XXVII. Makes certain appropriations allocated in 2001, 130 to the office of information systems nonlapsing.

XXVIII. Requires the commissioner of the department of health and human services to set fees for residential care and health facilities.

XXIX. Authorizes a longevity payment for a certain position in the department of health and human services. Funding for the longevity payment shall be from appropriations for positions that are not filled.

XXX. Establishes a refundable credit against business enterprise taxes for certain unreimbursed health facility assessments.

XXXI. Provides for recognition of out-of-state registration of radiation producing machines.

XXXII. Requires the department of health and human services to conduct an audit of the medicaid program by November 1, 2003.

XXXIII. Requires the commissioner of the department of administrative services to implement a state employee self-insured health insurance program.

XXXIV. Permits unconditional transfers from the revenue stabilization reserve account to eliminate general fund operating budget deficits at the close of fiscal year 2003.

XXXV. Provides that, for the biennium ending June 30, 2005, revenue generated by the liquor commission shall be deposited in the general fund.

XXXVI. Provides that, for the biennium ending June 30, 2005, \$3,000,000 of New Hampshire's tobacco settlement funds shall not be deposited in the tobacco use prevention fund, and the balance of the fund as of June 30, 2003 shall lapse to the general fund.
Adopted.

Rep. Whalley offered floor amendment (1298h).

Floor Amendment (1289h)

Amend paragraphs V and VI of section 56 of the bill by replacing them with the following:

V. The remainder of this act shall take effect July 1, 2003
Adopted.

Rep. Marjorie Smith requested a roll call; sufficiently seconded.
The question being adoption of the amended committee report.

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YEAS 251

BELKNAP

Ahern, Omer Jr	Allen, Janet	Bartlett, Gordon	Boyce, Laurie
Clark, Charles	Dewhirst, Glenn	Fitzgerald, James	Flanders, Donald
Holbrook, Robert	Lawton, David	Nedeau, Stephen	Pilliod, James
Russell, David	Thomas, John	Wendelboe, Fran	Whalley, Michael

CARROLL

Babson, David Jr	Brown, Carolyn	Derby, Mark	Dickinson, Howard
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Hatch, Paul
Mock, Henry
Stevens, Stanley

Kenney, Bettie
Olimpio, J Lisbeth

McConkey, Mark
Patten, Betsey

Merrow, Harry
Philbrick, Donald

CHESHIRE

Dexter, Judson
Liebl, George

Fish, Douglas
Royce, H Charles

Hunt, John

Laurent, John

COOS

Brady, Mark
Richardson, Herbert
Woodward, David

Guay, Lawrence
Stohl, Eric

King, Frederick
Theberge, Robert

Pratt, Leighton
Tholl, John Jr

GRAFTON

Alger, John
Gilman, G Michael
Ingbretson, Paul

Dorsett, Andrew
Gionet, Edmond
Maybeck, Margie

Dudley, Terri
Giuda, Robert
Sorg, Gregory

Eaton, Stephanie
Ham, Bonnie
Williams, Burton

HILLSBOROUGH

Adams, Jarvis
Artz, Lawrence
Bergeron, Jean-Guy
Bruno, Pierre
Carter, Jeffrey
Christensen, D L
Chris
Desmarais, Vivian
Elliott, Larry
Ford, Nancy
Gonzalez, Carlos
Greenberg, Gary
Hansen, Ryan
Hinkle, Peyton
Infantine, William
Kurk, Neal
Lessard, Rudy
McRae, Karen
Mooney, Maureen
Pappas, Marc
Ross, Lawrence
Souza, Kathleen
Tahir, Saghir

Allan, Nelson
Balboni, Michael
Bergin, Peter
Buhlman, David
Carter, Mark
Christiansen, Lars
Chris
Dionne, Kimberley
Emerton, Larry
Furman, Christine
Goulet, Maurice
Hagan, Barbara
Harrington, Paul
Holden, Randolph
Jasper, Shawn
Laflamme, Charles
Luebkert, Bernard
Mercer, Robert
Moran, Edward
Pepino, Leo
Rowe, Robert
Spiess, Paul
Vaillancourt, Steve

Allen, Timothy
Balcom, John
Bouchard, David
Cail, Kenneth
Cernota, Albert
Coughlin, Pamela
Dokmo, Cynthia
Fields, Dennis
Gargas, Carolyn
Goyette, Peter Jr
Hall, Charles
Hawkins, Ken
Hopper, Gary
Johnson, Lionel
LaFlamme, Paul
McElroy, Henry Jr
Messier, Irene
Mosher, William
Price, Pamela
Scanlon, Michael
Stepanek, Stephen

Arnold, Thomas Jr
Beaton, William
Brundige, Robert
Carlson, Donald
Chabot, Robert
Crane, Elenore
Casey
Drisko, Richard
Fletcher, Richard
Gibson, John
Graham, John
Hallyburton, Margaret
Haytayan, Harry Jr
Hunter, Bruce
Kerns, J Edward
Lawrence, James
McHugh, Claire
Milligan, Robert
O'Brien, Lori
Reeves, Sandra
Slocum, Lee
Sullivan, Jeffrey

MERRIMACK

Anderson, Eric
DeStefano, Stephen
Fraser, Leo Jr
L'Heureux, Stephen
Marple, Richard
Oliver, James

Colcord, J D
Dunne, Christopher
Hess, David
Langer, Ray
Maxfield, Roy
Ouellette, Robert

Currier, David
Field, William
Kenison, Leon
Leber, William
McCormick, Tom
Reed, Dennis

Daniels, Eric
Foley, Albert
Kennedy, Richard
MacKay, James
Nutter, Edward
Soltani, Tony

ROCKINGHAM

Allen, Mary
Bridle, Russell
Clark, Vivian
Dodge, Robert
Fesh, Bob
Gilbert, Jeffrey

Belanger, Ronald
Cady, Harriet
Dalrymple, Janeen
Doyle, Christopher
Flanders, John Sr
Gilbert, Karl

Bicknell, Elbert
Camm, Kevin
Dearborn, Bruce
Dumaine, Dudley
Flayhan, Mary Lou
Gillick, Thomas

Bishop, Franklin
Carson, Sharon
DiFruscia, Anthony
Dupuis, Roland
Francoeur, Sheila
Gleason, John

Gould, Kenneth
Holland, James Jr
Introne, Robert
Kelley, Jane
Major, Norman
Moore, Benjamin
Priestley, Anne
Roessner, Kurt
Stone, Joseph
Waterhouse, Kevin
Wiley, Robert

Griffin, Mary
Hughes, Daniel
Johnson, Rogers
Kobel, Rudolph
McCann, Richard
Morris, Richard
Putnam, Ed II
Ruffner, Walter
Stritch, C Donald
Weare, E Albert
Winchell, George

Hamel, Albert
Hutchinson, Karen
Katsakiores, George
Langone, John
McKinney, Betsy
Noyes, Richard
Quandt, Matthew
Scamman, Stella
Tufts, J Arthur
Weldy, Norman Jr
Zolla, William

Headd, James
Ingram, Russell
Katsakiores, Phyllis
Letourneau, Robert
McMahon, Charles
Packard, Sherman
Rausch, James
Smith, Donald
Varrell, Thomas
Weyler, Kenneth

STRAFFORD

Albert, Russell
Cataldo, Sam
Hollinger, Jeffrey
Twombly, James

Bemis, Alan
Dunlap, Patricia
Musler, George
Woods, Phyllis

Bickford, David
Easson, Timothy
Newton, Clifford

Campbell, W Packy
Harrington, Michael
Scott, David

SULLIVAN

Flint, Gordon Sr

Jones, Constance

Leone, Richard

Rodeschin, Beverly

NAYS 126

BELKNAP

Rice, Thomas

CARROLL

None

CHESHIRE

Allen, Peter
Espieffs, Peter
Parkhurst, Henry
Robertson, Timothy
Weed, Charles

Batchelder, Robert
Manning, Joseph
Pratt, Irene
Slack, Pamela

Dunn, James
Meader, David
Pratt, John
Tilton, Anna

Eaton, Daniel
Mitchell, McKim
Richardson, Barbara
Webber, Amy

COOS

Mears, Edgar

Poulin, Richard

GRAFTON

Akins, Ralph
Cooney, Mary
Scovner, Nancy

Almy, Susan
Densmore, Edward
Sokol, Hilda

Benn, Bernard
Hammond, Lee
Solomon, Peter

Bleyler, Ruth
Nordgren, Sharon

HILLSBOROUGH

Baroody, Benjamin
Clemons, Jane
Gorman, Mary
Katsiantonis, Thomas
Lasky, Bette

Brassard, Paul
Cote, David
Haley, Robert
Konys, Christine
Leach, Edward

Buckley, Raymond
Cote, Peter
Irwin, Anne-Marie
Kopka, Angeline
Lefebvre, Roland

Clayton, William
Craig, James
Jean, Claudette
Kudalis, Debra
McDonough-Wallace,
Alice

Movsesian, Lori
Schulze, Joan
Sweeney, Cynthia

Palangas, Eric
Shaw, Barbara
Tate, Joan

Pappas, Christopher
Sullivan, Francis
Wheeler, James

Pilotte, Maurice
Sullivan, Peter

MERRIMACK

Blanchard, Elizabeth

Bouchard, Candace

Brueggemann,
Donald

Clarke, Claire

Davis, Frank
Hager, Elizabeth

DeJoie, John
Hamm, Christine

French, Barbara
Jacobson, Alf

Gile, Mary
Lockwood, Priscilla

Osborne, Jessie
Reardon, Tara

Owen, Derek
Rush, Deanna

Perkins, Randy
Wallner, Mary Jane

Potter, Frances

ROCKINGHAM

Blanchard, MaryAnn
Corbin, Corey
Norelli, Terie
Shultis, Elizabeth

Casey, Kimberley
Davidson, Robert
Pantelakos, Laura
Splaine, James

Coes, Betsy
Johnson, Robert
Pitts, Jacqueline
Vallone, Matthew

Cooney, Richard
McEachern, Paul
Robertson, Carl
Welch, David

STRAFFORD

Berube, Roger
Heon, Richard
Keans, Sandra
Rous, Emma
Spang, Judith

Callaghan, Frank
Hofemann, Roland
Knowles, William
Schmidt, Peter
Taylor, Katherine

Creteau, Irene
Johnson, Nancy
Pelletier, Arthur
Smith, Marjorie
Vachon, Dennis

Grassie, Anne
Kaen, Naida
Rollo, Deanna
Snyder, Clair
Wall, Janet

SULLIVAN

Allison, David
Ferland, Brenda
Phinizy, James

Burling, Peter
Franklin, Peter

Cloutier, John
Harris, Joseph

Donovan, Thomas
Harris, Sandra

and the amended committee report was adopted
Ordered to third reading.

SENATE MESSAGE

REQUESTS CONCURRENCE WITH AMENDMENTS

HB 732-FN, relative to fines for forestry law violations, and deceptive forestry business practices. (Amendments printed SJ 4/17/03)

Rep. Royce moved that the House concur and spoke in favor.

Adopted.

RESOLUTION

Rep. Hess offered the following: **RESOLVED**, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of bills be by title only and resolutions by caption only and that all bills ordered to third reading be read a third time by this resolution, and that all titles of bills be the same as adopted, and that they be passed at the present time, and when the House adjourns today it be to meet Thursday, May 8, 2003 at 10:00 a.m.

Adopted.

LATE SESSION

Third reading and final passage

SB 24, relative to license revocations for DWI offenders under the age of 21.

SB 22, amending the duties of the public higher education study committee.

SB 26, removing the penalty against teachers who fail to keep registers.

SB 51-FN, relative to membership on the New England Board of Higher Education.

SB 68, authorizing electronic certification of educational credentials.

SB 170, relative to Public Service of New Hampshire.

SCR 3, urging maintenance of funding for the Low Income Home Energy Assistance Program.

HB 1-A, making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 2004, and June 30, 2005

HB 2-FN-A, relative to state fees, funds, revenues, and expenditures.

UNANIMOUS CONSENT

Rep. Weare addressed the House.

RECESS MOTION

Rep. Hess moved that the House stand in recess for the purpose of introduction of bills, enrolled bill amendments, enrolled bill reports and receiving Senate messages only.

Adopted.

The House recessed at 12:40 a.m.

RECESS

(Rep. Batula in the Chair)

ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 64, 86, 101, 263, 305, 321, 498, 502, 678 and 833.

Rep. Currier, Sen. D'Allesandro for the Committee

ENROLLED BILL AMENDMENT

HB 104-FN, implementing procedures for a hospital or safe haven to assume temporary care and control of an abandoned child and creating an exception to the crime of endangering the welfare of a child.

Amendment (1330-EBA)

Amend RSA 132-A:1 as inserted by section 1 of the bill by replacing line 1 with the following:

132-A:1 Definitions. In this chapter:

Adopted.

RECESS